


SIMON FRASER, LORD LOVAT
HIS LIFE AND TIMES

W. C. MACKENZIE

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SIMON FRASER IN HIS PRIME. (*After Le Clare.*)

[*Frontispiece.*

SIMON FRASER, LORD LOVAT

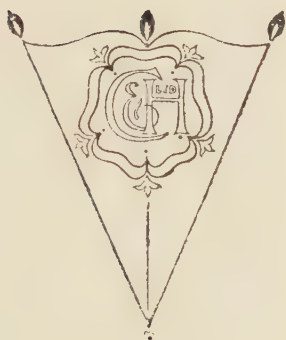
HIS LIFE AND TIMES

BY

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"HISTORY OF THE OUTER HEBRIDES," ETC.

WITH ILLUSTRATIONS



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PREFACE

SINCE Dr. Hill Burton wrote, about sixty years ago, his account of Simon Fraser, Lord Lovat (avowedly as a dark background to his "Life" of Duncan Forbes of Culloden), a good deal of additional matter, much of it still unprinted, has become available. I have made considerable use of the new material, more particularly of the Additional Manuscripts in the British Museum. I have also drawn largely upon *Major Fraser's Manuscript* (published in 1889 by Lieut.-Colonel Alexander Fergusson)—which is a valuable authority when used with discrimination. This manuscript was known to Dr. Hill Burton, but he was not aware of the circumstances that gave to it the special value which it possesses; moreover, it came into his hands too late for adequate use in the preparation of his biography. Lovat's "Memoirs," written by himself in French, and admirably translated by William Godwin, furnish many supplemental details, which, when sifted in the light of other contemporary records of undoubted credibility, are found, on the whole, to be substantially accurate in essentials. The same remark cannot justly be made about the contemporary so-called "Lives," which were written at a time when the public wanted, and received, sensational accounts of Lovat's career. It must have been one of these

"Lives" that Voltaire desired to be sent to him. They are all more or less untrustworthy, and I have practically ignored them.

I have to acknowledge my indebtedness to Mr. William Burns and Mr. William Mackay, both of Inverness, for useful hints relating to Lovat matters. Mr. Burns has written a series of stimulating letters on Simon Fraser, and Mr. Mackay has published, in the "Transactions of the Gaelic Society of Inverness," a quantity of highly interesting Lovat correspondence. The index has been kindly prepared by Mr. J. Parker Anderson, late of the British Museum, to whom my thanks are due for the admirable manner in which the work has been performed.

I have thought it desirable to deal in greater detail with the earlier and little-known part of Simon Fraser's life than with the later and well-known portion. A full knowledge of his younger days is necessary for an adequate comprehension of the events of his old age, with which the general reader is more conversant.

My object has been to write an interesting narrative of Lovat's remarkable career, based upon the most reliable material that I have been able to find, and divested of all prejudice. It has been my desire to appear neither as an advocate nor an opponent, but simply as a narrator and an interpreter. I have not attempted either to whitewash or to blacken Lovat's character; the latter, indeed, has already been done so effectively, that any further attempt in that direction would be a work of supererogation. It may be a matter of opinion whether, after all, Simon Fraser is worthy of a biography; but it can scarcely be denied that the part he played in shaping British history entitles

him to a place in the gallery of British politicians. And should this narrative of his eventful experiences throw any additional light upon the troubled times in which he lived, its purpose will have been well served.

W. C. MACKENZIE.

LONDON, 1908.

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SIMON FRASER, LORD LOVAT

HIS LIFE AND TIMES

CHAPTER I

THE ancestors of Simon Fraser were the Frisales, or Frisels, the old form of spelling the name of Fraser. In all likelihood, the Frisales came over with William the Norman. But one of the earliest of their genealogists—a clergyman of the seventeenth century—tells us that “about the year 1060, came the Frasers into Scotland.”¹ This would appear to suggest a pre-Norman ancestry, unless the Frisales, like the Macleans at the Flood, had “a boat of their own” and crossed the Channel independently. Their name figures in the Roll of Battle Abbey, and their Norman origin is indisputable.² Even Celtic enthusiasts, who sweep all and sundry Highland families into their Gaelic net, have been compelled to give the Frasers up. One of them, a well-known writer on Highland subjects, attempted, indeed, to show that the name was probably derived from the Gaelic *Friosal*, “the race of the forest,” but the etymology and the idea it conveys are alike delusive. The Frasers of old were never remarkable for the guilelessness characteristic of children of the forest. Rather did they show their Norman ancestry by the facility with which they “conquessed”—

¹ Wardlaw MS. (Scott. Hist. Society, vol. 47, p. 50).

² Skene's *Highlanders of Scotland* (MacBain), p. 378.

to use the quaint old Scots word—the estates of their neighbours.

The Norman way of acquiring property in Scotland was twofold: the sword and the heiress. When one means failed, the other succeeded, and when both failed, grants by friendly kings of kindred blood transformed needy Norman adventurers into great territorial magnates and founders of powerful families, who lorded it over their native neighbours. Thus, even in the Highlands of Scotland, where the Celtic race maintained its independence against the vigorous Anglo-Saxons long after the Lowlands had become largely assimilated by speech and race with the people south of the Tweed, Norman families gradually established themselves, and some of their descendants are to-day among the most Celtic in spirit of the Highland families.

Of these families one of the foremost are the Frasers. Their first settlement in Scotland was in East Lothian. Thence they migrated to Tweeddale, where, by means of native ability—and a judicious marriage with the heiress of Tweeddale—they acquired considerable possessions and influence, as the ruins of no fewer than four castles testify. In the thirteenth and fourteenth centuries, the Tweeddale Frasers reached the zenith of their fame in the persons of Sir Simon Fraser, the High Sheriff of Tweeddale, and his more renowned son, also named Simon, the gallant soldier and the faithful companion of Wallace in the War of Independence with England. The younger Simon suffered in London the ignominious death of a traitor, or the glorious death of a patriot—according to the contemporary standpoint, whether English or Scottish—though at the present day no difference of opinion can exist.

The Frasers gradually found their way to the north-east, establishing branches of their family in Aberdeenshire and Inverness-shire. The first of the northern Frasers was Sir Andrew, uncle of Sir Simon, the patriot.

He married a wealthy heiress of Caithness, and their son was Simon, the first of the Frasers of Lovat. He, too, married an heiress, the daughter of the Earl of Orkney and Caithness, through whom, by her mother, a daughter of Graham of Lovat, he acquired the property of Lovat (with the fortress of Beaufort and the subsidiary fortalice of Lovat) which had anciently belonged to the Bissets, another Norman family whose ambition and unruliness led to their undoing. From the first Fraser of Lovat is derived the Gaelic patronymic of the clan, viz. :—*MacShimi* (son of Simon). This Simon, with his two brothers, was killed at the battle of Halidon Hill in 1333. His son, Hugh, was the first Lord Fraser of Lovat. The ninth Lord Fraser, also named Hugh, had six sons, the fourth of whom was Thomas of Beaufort, whose second son, by Sybilla, daughter of John Macleod of Macleod, was Simon, the subject of this biography.¹

The exact date of Simon Fraser's birth is uncertain, but the evidence shows that it must have been about 1676. This is the date given in his "Memoirs," and although it is contradicted by the view accepted by all historians that he was eighty years of age when he was executed in 1747, there is conclusive evidence that he was about nine years younger. There are no records of his boyhood, a fact which leaves a good deal to the imagination ; but Murray of Broughton tells us that he was educated by his uncle, Macleod. Almost certainly he received his early education at the Grammar School of Inverness. He entered

¹ Skene's Highlanders. Anderson's Historical Account of the Family of Fraser. Mackenzie's History of the Frasers. In the celebrated Lovat peerage case, decided in the Court of Session in 1730, Simon Fraser's opponents rested their claim that the estate was a female fief, on the assertion, which was disproved, that the Bissets had borne the title of Lord Lovat, and that a daughter and only child of Bisset was married to a Fraser, from whom it descended to the heirs of line, and, consequently, to the claimant, the daughter of Hugh, eleventh Lord Fraser of Lovat. Simon Fraser's researches in Scottish history contributed towards the upsetting of this theory. (See Memorial of Simon, Lord Lovat, Collection of Papers in Lovat Cases.)

King's College, Aberdeen, in 1691, which would make his age fifteen at the date of entry, thus corresponding with the known period of life (twelve to sixteen years of age) at which students entered Aberdeen University about the end of the seventeenth century. He graduated Master of Arts in 1695.¹

He had just begun the study of Civil Law when his aspirations were directed into another channel. To speculate on a man's future had he followed this or that career, instead of the actual one of his choice, is a useless though attractive occupation. In some instances, a strong bent of mind in a certain direction affords a sure guide to the path of successful effort. In others, there is no clearly defined mental bias upon which to base a scheme of life. Simon Fraser belonged to the former class. It may be confidently postulated that had he chosen the Bar or the Pulpit of his native country as a profession, the highest honours that either career could offer would have been placed well within his reach. His dialectical skill would have won for him renown in the one direction, and his powers of persuasion in the other. He might have very well ended his days as Lord President of the Court of Session, or as Moderator of the General Assembly of the Kirk of Scotland.

When Simon entered King's College, his elder brother Alexander had been dead two years. The latter was a youth of great promise. He graduated at Aberdeen University in 1679, and in 1683 received the freedom of the Royal burgh of Inverness. He fought under Dundee at the battle of Killiecrankie, where he led the Frasers, and was wounded at the battle, or during the subsequent attack on Dunkeld. He was carried home by his clansmen in a litter, and died on November 20, 1689. There is a story told that after Killiecrankie he killed a piper or a fiddler,

¹ Letter from Mr. P. J. Anderson, Aberdeen University Library (*Inverness Courier*, January 14, 1908.)

at a wedding or a funeral (the accounts vary), and fled to Wales, where he married and left a family. This story formed in 1885 the basis of an unsuccessful claim upon the Lovat estates by an alleged descendant of Alexander. But the register of the parish of Kirkhill was accepted as conclusive evidence of the death of Alexander in 1689; in which year, consequently, Simon became his father's heir.¹

To an ambitious youth—and Simon was nothing if not ambitious—this change in his prospects must have opened up a vista of future greatness which had previously seemed to be beyond his grasp. For the shot which laid his brother low was the signal for Simon's elevation to the male heirship of the great Lovat estates. It was true that the tempting fruit which dangled from the family tree might never fall into his father's lap, nor into his. There were others ready to pluck it when ripe, or even before it was ripe. His father's nephew, Hugh, was then in possession of the property and the title as eleventh Lord Fraser of Lovat. Hugh was a weak, amiable man, "of contracted understanding," according to Simon's blunt estimate of his character. His early years had been spent under the tutelage of his maternal uncle, Sir George Mackenzie, of Tarbat (afterwards the first Earl of Cromartie); and he continued during his lifetime to be under the influence of stronger natures than his own. He married—it is more accurate to say that he was married to—Lady Amelia Murray, daughter of John, Marquis of Atholl, and sister of Lord John Murray, afterwards created Earl of Tullibardine, and (on his father's death) first Duke of Atholl. By Lord Hugh's contract of marriage, dated May 18, 1685 (confirmed by charter, dated February 22, 1694), he resigned

¹ Letter from Mr. William Burns, solicitor, Inverness (*Inverness Courier*, December 3, 1907). Simon says that his brother was the first in the North to join Dundee, whom he helped materially with provisions, and with whom he remained until he was "carried home in a litter" (Addl. MSS. 31253 ff. 4, 5).

the lordship and barony of Lovat and others in favour of the male issue of his marriage with Lady Amelia, or of any other marriage; in default of whom, to any heirs by this marriage, with a preference to the eldest daughter, without division, if she married a husband bearing the name of Fraser. Lord Hugh is said to have had three sons, all of whom died young. The eldest of his four daughters, who appears to have been born in 1686, and, like her mother, was named Amelia, was thus constituted the preferential and sole heiress if she fulfilled the condition laid down by the contract. This, then, was the position at the time when Simon Fraser had completed his course of philosophy at King's College, and was about to commence the study of Civil Law.¹

He was a diligent student. He tells us that he "read ten hours every day." Yet, in his old age, he affected to hold his University education in low esteem. "Idle college learning," he called it. "I have no benefite," he says, "by the four years that I most slav'd in my Life at the College, but a little taste of Logics and Philosophy." But the truth is, that the study of "Logics and Philosophy" gave his mind a certain bent which, for good or ill, influenced his career to an appreciable extent. He had little leisure to brood over his grievances. But they existed notwithstanding. And it required the assistance of all the philosophy he had acquired at King's College to enable him to bear them with equanimity.

He must have felt that he was being juggled out of his rights by the Murrays. His weak-minded cousin had just confirmed his contract of marriage, the practical effect of which was to exclude Simon's father and himself from the title and property of which they were the rightful heirs. A chit of a girl was to be the head of the clan Fraser, instead of a spirited young man brimming over

¹ Collection of Papers in Lovat Cases. Anderson, p. 118. Mackenzie, p. 210.

with feudal ardour. Conscious of his own natural parts, he was condemned to be a poor hanger-on to the skirts of nobility, instead of being a great territorial magnate, with the lives and fortunes of hundreds of warlike Frasers at his unchallenged and complete disposal. True, there was a way round: the old Norman and Celtic way of marrying the heiress. But she was only eight years of age, and her relations might have other views for her.

Already the astute mind of Simon Fraser was hatching schemes for the preservation of his rights. It is not too much to assert that, until finally the desire of his heart was gained, his actions were dominated by one governing motive, to which all political considerations, all family ties, all the demands of honour itself, were subordinated. He had determined that if he lived, the estates and the title of Lovat should one day be his.

Those estates were indeed well worth fighting for. They stretched for miles on both sides of Loch Ness. On the south-east side was Stratherrick, a broad plain lying between the hills which skirt the loch, and the mountains on the borders of Badenoch and Strathdearn. Two centuries ago a bleak, hillocky, hard-looking country, like the granite of which it is mainly composed, it has since undergone improvements in common with the rest of the Highlands.

Contrasting with the bleakness of this valley, the Foyers country in its vicinity offers the traveller the scenic delights afforded by the sylvan beauty of Killin, and the "whitening sheet" of the celebrated falls, their picturesqueness modified at the present day by the exigencies of aluminium. Protected at one end by the romantic pass of Inverfarikaig, and at the other by the towering bulk of Corryarrick, Stratherrick, at the end of the seventeenth century, was vulnerable only at one point, which, in 1715, was strengthened by the erection of Fort Augustus. An excellent place of refuge for a

fugitive ; and such Simon Fraser found it to be in his hour of need.

But the principal part of the Lovat property lay on the north-west side of Loch Ness. The *Aird MacShimi*, or Lovat's Aird—so called to distinguish it from other airds, or heights, in the same quarter—is situated on the Inverness-shire border of the Beauly Firth, and Beaufort—the appanage of a younger son, and thus the incontestable property of Simon Fraser's father—lies between the towns of Inverness and Beauly, the latter in the heart of the Aird country. A rich, fertile tract at the present day, the Aird, two centuries ago, was a relatively desirable possession, and with the other extensive pertinents of Lovat situated on both sides of Loch Ness, formed one of the finest properties in the North of Scotland. The valley of the Beauly, or Beaulieu, fittingly received its name from the most beautiful queen who ever sat on the Scottish throne. Rejecting the commonplace suggestion of Celtic etymologists that the name is derived from a Gaelic word signifying the "town of the ford," we accept the more romantic signification associated with it by tradition. It is one of the most lovely straths in that part of Scotland where beautiful valleys abound. The high-terraced banks of the river Beauly converge towards the west, where the foaming waters leap through a rocky gorge in the picturesque falls of Kilmorack. On the slopes of the hills, birch-clad and fir-clad, the hand of the industrious cultivator has left its mark. The heights of Strathglass and Glenstrathfarar form a rugged background on the western horizon. The giant Ben Wyvis keeps guard on the north over the peaceful valley. Towards the mouth of the river, a plain of lowland richness stretches eastwards ; and the gentle slopes of the Beauly Firth display the same signs of agricultural wealth. Yonder, near the banks of the river, are the ruins of the ancient Priory of Beauly (founded by John Bisset of

Lovat), where the French monks of the order of Valliscaulium, brought to Scotland in the thirteenth century, tilled the land, educated the people, and strove to maintain among their wild and lawless neighbours, a life of austerity and virtue. Of old the God's-acre of the Fraser chiefs, the shadow of its influence was thrown over the market town of Beaully, whose ancient Gaelic name is *Balmanach*, the town of the monks.

Such was the property which was as the apple of Simon Fraser's eye. It would be doing him an injustice to suppose that what he coveted was mainly the revenue of this fertile (but debt-burdened) land. Nothing is clearer than the fact that his aims were more comprehensive. He was not indifferent to the advantages of wealth—far from it—but he was no mere money-grubber. To be acknowledged as my Lord Lovat ; to have the means of helping his friends and crushing his foes ; to be looked up to as the head of the Fraser family ; to acquire the despotic power that Celtic feudalism conferred upon the chiefs of the powerful clans ; these appear to have been the motives that urged him to risk everything in acquiring what his old father seems, on the whole, to have regarded as a tinsel title and a troublesome estate.

There is a good deal to be said for Simon's point of view. When the feudal system flourished in the Highlands, it was imperative that a clan should be ruled by a man of physical and mental vigour, capable of leading his men in tribal or insurrectionary warfare. If the rightful male heir were incapacitated for leadership by youth or infirmity, he was set aside in favour of a more competent chief. A chieftainess was unthinkable. If a woman happened to be the heiress, the only thing to be done was to get her married as quickly as convenient, and, if possible, to the nearest male heir. That was the later method, for in ancient times, previous to the advent of feudalism, the operation of the law of gavel operated to

exclude females from acquiring property. Thus the claims of young Beaufort were fortified, alike by the persistence of patriarchal notions among his clansmen, and by the practical inconveniences that resulted from the clan being ruled by a woman.

Simon Fraser's position was, in fact, unassailable ; for it was supported alike by tradition, by sentiment, and, most important of all, by the law of the land. The barony of Lovat had always been a male fief, and in 1730, the Supreme Court of Scotland upheld the view that, notwithstanding all efforts to prove the contrary, a male fief it continued to remain.¹

¹ Riddell on Peerage and Consistorial Law, vol. i. pp. 285-287, and pp. 370-375, where the question is dealt with fully.

CHAPTER II

THERE were two avenues, by either of which young Beaufort might reasonably hope to reach the goal of his ambition with greater ease than was possible without their assistance ; and these avenues were, respectively, the Law and the Army. One was a long and tedious path, whose windings confused the man accustomed to a straight, open road, but offered no obstacles to the man of clear sight and subtle mind. The other was a short, broad way, leading sometimes to disillusionment and destruction, but frequently to honours and estates. Which of these would be Simon Fraser's choice ? An accident—if there be such a thing as accident in those matters—decided him to throw over the Law and enter the Army. And thus the Bar of Scotland lost a lawyer who might well have proved, in point of ability, a worthy successor to Sir George Mackenzie of Rosehaugh, while the British Army gained a recruit who wished to command before he learned to obey.

Lord John Murray, the eldest son of the Marquis of Atholl, had received a commission to raise a regiment for the service of William of Orange. Murray was in high favour at Court. His services in the Dundee campaign were not forgotten. He was appointed Secretary of State for Scotland and Commissioner to the Scots Parliament. He was thus the most influential man in Scotland in 1694, and the value of his friendship to a penniless youth like Simon Fraser, whose father had "spent his patrimony,"

was obvious. Murray found that the task he had undertaken of raising a regiment was by no means an easy one. His father was a secret Jacobite, and gave him no countenance. His father's clansmen regarded him as a renegade, and during the Dundee campaign, they had deserted him in a body. In his extremity, he bethought himself of his easy-going brother-in-law, Lord Hugh of Lovat, who had a following of faithful Frasers ready to obey (as he thought) the call of their chief. Therefore he offered Lord Lovat a command in his regiment, a bribe which Lovat accepted. But the faithful Frasers turned their backs on their chief, apparently because they distrusted his colonel. Chagrined by the attitude of his clansmen, Lovat declared that he had accepted the commission only to bestow it upon his cousin, Simon, whose interests he wished to advance. But Simon was a staunch Jacobite: for he had imbibed "loyalty" with his mother's milk. According to his own statement, he had served under General Buchan, and had been "three times thrown into prison for his exertions in the Royal Cause before he was sixteen." So, if his statement is correct, he had learned something in a rougher school before going to King's College to acquire a knowledge of "Logics and Philosophy." The latter studies had not weakened his loyalty to King James, but they had revealed to him the possibilities and the practical utility of casuistry, as a valuable antidote to the inconvenient insistence of principle. When he took his degree of Master of Arts, he had already attained proficiency in minor arts not prescribed by the Faculty.

Accordingly, it was not difficult for him to reconcile his professedly ardent Jacobitism with his acceptance, in 1695, of a commission in the army of King William. Obviously, he found it necessary to explain his inconsistency. Lord John Murray told him privately (he says), that the regiment he was raising was destined ultimately

for the service of him whom the Williamites called the Pretender, and the Jacobites, the King. That the Secretary of State for Scotland should thus run the risk of placing himself in the power of a youth of nineteen who, he must have foreseen, might one day prove a thorn in the side of the Atholl family, may be conceivable, but is scarcely probable. Simon's story runs that, after having gained his object—a company of Frasers being easily recruited by the heir-apparent—Lord Murray played him the scurvy trick of refusing him his company until he had brought three hundred recruits to the regiment, and even then he was compelled to compensate in money the officer whom he had displaced. In the interval he had to content himself with a lieutenancy of Grenadiers. In 1696, the officers of Lord Murray's regiment were obliged to take the oath of abjuration, which elicited a protest from those of them who were Jacobites. Simon had another private interview with his colonel, who appears to have had little difficulty in overcoming his scruples. But he was not slow to describe Lord Tullibardine's cleverness in getting the better of him, as "infamous"—a favourite adjective of Simon's, by the way.¹

Major James Fraser gives us a much less tangled account of this transaction. He states simply that the "Marquis of Atholl, seeing him (Simon) to be a young man of spirit, and also being the heir male of the family, thought proper to encourage him, and to put him into the army. My Lord Tullabardine, having then a regiment, brought him in to be lieutenant of the Grandineers, where he continued in the years 1694-5."² This version has, at least, the merit of straightforwardness and probability; for it is likely enough that Murray wished to conciliate the Beauforts. Yet, from other sources of information, we are justified in believing that the recruiting story had some

¹ *Memoirs of the Life of Lord Lovat (1797)*, pp. 7-18.

² Major Fraser's MS., vol. i. (Fergusson), pp. 102, 103.

foundation in fact. But by whatever means he obtained the appointment, Simon was now Captain Fraser in the service of Dutch William, the enemy of the Jacobites, the defender of civil liberty, and the bulwark of the Protestant faith. Fairly launched upon the career of a soldier, he had placed his feet on the first rung of the ladder by which he hoped to mount to the height of a well-defined ambition. This young man started out in life with a single aim in view, which he attained after years of patient waiting, clever scheming, and invincible determination.

He had not long to wait for his first chance. In March, 1696, his cousin, Lord Lovat, went to London with Lord Murray, to be presented to the King by the latter; and Simon accompanied them. Lord Lovat stayed in London some months, "and spent some money," with the assistance of his young cousin, and other boon companions like Colonel Alexander Mackenzie, brother of the Earl of Seaforth. On March 26, 1696, Lord Lovat signed in London a deed, annulling the disposition of his estates already made, and conveying them to Thomas Fraser of Beaufort as the male heir, in case he himself died without male issue;¹ and on the same date, he executed a bond in Simon's favour for 50,000 merks Scots, the consideration for which was "the special love and affection I bear to my cousin, Master Simon Fraser, eldest lawful son of Thomas Beaufort, and for certain onerous causes and others moving me."² Simon is accused in "A letter from a gentleman in the City to his friend in the country" (1704) of having forged this deed and *two* bonds about 1699-1700.³ It is a fact that two bonds, each for 50,000 merks, were found among his papers when these were seized in 1703.⁴ The forgery, it is stated, was detected by one of the

¹ Collection of Papers in Lovat Cases. Anderson, p. 118.

² Hill Burton's Lovat, p. 49.

³ Somers Tracts, vol. xii. pp. 435, 437.

⁴ House of Lords Proceedings concerning the Scottish Conspiracy, p. 13.

lords of the Court of Session, "upon which," says the narrator, "the Captain took them out of his hands and never made more use of them."¹

The death, at Perth, of Lord Hugh on September 4, 1696, was the signal for the rivals to declare themselves. Thomas of Beaufort, as the male heir, immediately assumed the title of Lord Lovat and took possession of the estates,² while Simon called himself Master of Lovat. But the Atholl family had other views, especially Lord John Murray, who had recently been created Earl of Tullibardine. The eldest daughter of Lord Hugh, now a lassie of ten, was put forward by her relatives as the heiress to the estates and the peerage, the validity of Beaufort's claim being thus denied. At first, Tullibardine tried to effect an accommodation with the Beauforts by diplomatic means. As colonel of the regiment in which Simon Fraser had a company, he flattered the young captain by delicate attentions, with the object of bending him to his will. One night, when Simon was in charge of the Castle guard in Edinburgh, his colonel asked him to join some other men who had assembled at Tullibardine's invitation "to take their bottle." After they had "drunk to a good pitch," Tullibardine produced a document which Simon was desired to sign. Upon being told that it was a formal renunciation of the Lovat estates, Simon flatly and very properly refused to have anything to do with it. Tullibardine promised, in consideration of the renunciation, to procure a regiment for him, and to recompense him handsomely in money. Still Simon refused. Threats were then launched at his head, but they proved as unavailing

¹ Somers Tracts, vol. xii. p. 437. The "City gentleman" states that the deed conveying the estates was also made out in Simon's name, and that, like the bonds, it was forged. Curiously enough, Simon states (*Memoirs*, pp. 25, 26) that Lord Lovat bequeathed his estates to him, not to his father, who, of course, was the male heir. Still another version is given by Simon in Addl. MSS. 32707.

² Addl. MSS. 31251 (Lovat's Memorial to the Earl of Rochester).

as cajolery. Finally, swords were drawn, and bloodshed was prevented only by the interference of the witnesses of this strange scene. Simon had a parting shot at his colonel before he left his presence. "As for the paltry company I command in your regiment," he said, . . . "you may give it to your footman." Soon afterwards he got himself transferred, by the influence of Sir Thomas Livingstone, to Colonel Macgill's regiment of Grenadiers.¹

Tullibardine took his revenge by having Captain Fraser tried by court-martial immediately afterwards on a charge of high treason.² In January, 1695, Simon had written two silly letters, containing some disloyal references.³ Tullibardine sent the letters to the King, and, according to Fraser, the court-martial was the result. It seems more likely, however, that the abortive Jacobite plot, in 1696, to surprise Edinburgh Castle, in which Simon, by his own admission, was concerned, may have formed the basis of the charge. In any case, Simon was acquitted. Livingstone, the Commander-in-Chief, befriended him, believing that the charge was the result of "private pique."⁴

Captain Fraser now wrote to his father, urging him to stand firm in his claim to the title and the estates, and soon afterwards went to the Highlands to afford the new Lord Lovat his moral and material support. "He having come north to his own country, a great many of his name joined him, especially his Highlanders; but such as were landed men in his low country would not join him."⁵ Just so: plains and property make for canniness; hills and poverty for recklessness. It was safer for the prosperous

¹ *Memoirs*, pp. 31-38. Major Fraser's MS., vol. i. pp. 105-107. Addl. MSS. 32707.

² Addl. MSS. 31251 (Rochester).

³ Somers Tracts, vol. xii. p. 441.

⁴ Addl. MSS. 31251 (Rochester). Correspondence of Colonel Hooke, vol. i. pp. 133, 134.

⁵ Major Fraser's MS., vol. i. p. 107.

farmers to back the Atholl interest than to espouse the cause of the penniless young officer.

The Law Courts were, of course, open to the two Beauforts for the enforcement of their claims. But the law was an expensive luxury which they were unable to afford. Their chances of success in the courts against the Marquis of Atholl and the Secretary of State for Scotland were small. They had right on their side, beyond doubt, but in those days it was easy for interest to tilt the bandage which covered the eyes of Justice. In any case, the Beauforts thought it better to attempt to obtain their end by other means. Had both parties been willing to come to a fair and honourable understanding, the simplest and most satisfactory method of settling the dispute would undoubtedly have been the old Highland way, which had much to commend it. It is certain that Simon Fraser would have agreed with alacrity to take the heiress with the estates, when she had reached a marriageable age. We have no certain knowledge of the inclinations of the young lady herself. But we give Simon every credit for his ability to win her heart by the judicious employment of flattery and sweetmeats.

There is a romantic story about his relation with Miss Amelia which grave historians have accepted as correct, but which, unfortunately for Simon's credit as a lady-killer, proves to be fiction. The story is that the two were genuinely attached to one another, and had planned an elopement and a marriage. Fraser of Tenechiel was employed by Simon to carry out the plan—and the maiden. A severe winter night was chosen for the undertaking. Tenechiel was in such a state of nervous anxiety to get the thing over that, notwithstanding the inclemency of the weather, he did not allow Miss Amelia time to put on even her shoes or stockings, but walked her barefooted into the snow. They had not gone far when conscience-stricken, or frightened, or faithless, or all three,

he took the girl back, and tamely handed her over to her mother.

This extraordinary story necessarily could not have obtained credence had the tender age of the girl been known. Moreover, there is not sufficient evidence to show that an abduction of any kind was ever attempted, and, in any case, there is nothing to connect Simon Fraser with it. It would have been a senseless act to carry off a child of ten in order to extort terms from her protectors ; and even the adventurous mind of the Master of Lovat could scarcely have contemplated the retention of the girl in captivity until she had reached a marriageable age. He himself makes not the remotest allusion to any escapade of the sort. This conclusively proves the falsity of the romantic version, were there no other facts to confute it ; for Simon would undoubtedly have bragged of his conquest had it been a fact. His silence proves nothing, either way, for or against the version which admits the youth of the heiress, but affirms that there was, notwithstanding, an attempted abduction. Yet Major Fraser, who must have been intimately acquainted with all the circumstances, is also silent. He tell us, indeed, that "before that time" (the arrival of Simon in the Highlands) the Marquis of Atholl had taken away Miss Amelia to his own home, "by which means he thought to secure the estate against Lord Simon."¹

It was a wise precaution, no doubt, on the part of the Marquis, in view of the fact that he was about to bestow the promise of his granddaughter's hand on a stranger. Apparently Simon Fraser was ruled out of consideration at the outset. Why ? He had every right to be regarded as the most likely suitor. Apart from questions of equity and hatchet-burying, he appeared to be a desirable match for the girl. His birth and breeding were unexceptionable ; he was tall and not ill-looking ; he was better

¹ Major Fraser's MS., vol. i. pp. 107, 108.

educated, probably, than any of the Murrays; he had shown that he was a man of spirit; and there was no reason to doubt that he was a man of sense. Finally, by this marriage, the dispute about the estates would be settled in the way that accorded best with Highland traditions, and, concurrently, satisfied fully the demands of justice. It is probable that Simon considered he had a sort of vested interest in Miss Amelia. Yet the maiden's friends would have none of him; least of all Tullibardine, who had obtained the gift of the ward "in a trustee's name."¹ It is not too much to say that their opposition to this match affected the whole course of British history during the first half of the eighteenth century. Had Simon Fraser married the heiress, he would probably have settled down as a model laird, and by sheer force of character become the most influential chief in the Highlands, able to direct into whatever channel he saw fit the united fighting forces of the North; a combination that would have proved irresistible if employed in the interests of the Stuarts.

The antagonism of the Murrays towards him appears to have originated with their desire to keep the estates in their own family. By his refusal to renounce his rights, Simon had thwarted this design; and their object consequently was to ruin him. Had he possessed all the virtues of an Admirable Crichton, they would none the less have rejected his matrimonial advances. As guardian of his niece, Tullibardine of course had every right to make as good a match for her as lay in his power; and from his point of view, a penniless young officer (and a personal enemy of his own) was no great catch. But a sinister complexion is placed upon the attitude of the Murrays by the suggestion, which seems to have some foundation, that their intention was to marry the girl to her cousin, Tullibardine's son. That, also, would have been quite a

¹ McCormick, Carstares, p. 298.

legitimate plan, had it not entailed, as it certainly did, the unjust aggrandisement of the House of Atholl at the expense of the rightful heir to the estates. The insecurity of their position was evidently felt by the Murrays, for they brought to bear their influence at Court, in conjunction with the machinery of the law, in an attempt to crush young Beaufort before he could become troublesome. The Marquis of Atholl wrote a letter to the principal men of the Clan Fraser, urging them to desert "that rebel" (a "rebel" whom Tullibardine had failed to convict) and deliver him into the hands of the law; in other words, into the hands of the Murrays. A "true Fraser" and a man of means to rule over and protect them would be found for them by the Marquis, who owns to having made the discovery that the clansmen would have no one but a Fraser as their chief, a practical admission that other views had been contemplated. To this letter, the Highland adherents of Simon returned the spirited answer that "they would have no borrowed chief," Fraser or no Fraser. But the canny "landed men" caught at the proposal of the Marquis, and suggested a visit to the clan by the Master of Saltoun, the heir of Lord Fraser of Saltoun, who was the chief-elect hinted at in Atholl's letter. The Marquis desired them to send the invitation to Lord Saltoun and his son in their own name; and this was accordingly done.¹ A schism in the clan was thus successfully created; and the plan of the Murrays had so far worked to their entire satisfaction. But they had reckoned without Simon Fraser.

¹ Memoirs, pp. 43-47. Major Fraser's MS., vol. i. pp. 108, 109.

CHAPTER III

THE Beauforts and their adherents were furious at the thought that an interloper was about to come in their midst and lord it over them. A vigorously worded protest, addressed to Lord Saltoun and his son, and signed by about fifty of the principal men of the clan (headed by the elder Beaufort), was drawn up, the author of the document being, in all likelihood, the younger Beaufort, who himself carefully kept in the background. The letter plainly intimated to Lord Saltoun that if he or his son accepted the invitation of the pro-Murray Frasers, they would repent it.¹ Ignoring the threat, Lord Saltoun, accompanied by Lord Mungo Murray, a younger son of the Marquis of Atholl, ventured into the country of their partisans, by whom they were hospitably entertained. They appear to have visited the dowager Lady Lovat in Castle Downie (or Beaufort), where she resided, and after being absent from home for several days, Lord Saltoun prepared for the return journey "in great hopes to have his son Lord Lovat," when the heiress had reached a marriageable age.² According to Simon Fraser's account, he made more than one attempt to meet Lord Saltoun in order to discuss with him the object of his visit, but Saltoun deliberately evaded a meeting. Consequently Simon was deeply incensed against him. In his view, Saltoun was deliberately attempting to supplant him, and

¹ State Trials, vol. xiv. p. 356. Memoirs, pp. 49, 50.

² Major Fraser's MS., vol. i. p. 110.

without giving him the opportunity he desired, of telling him to his face what he thought of his conduct. So he resolved to teach the interloping Fraser a lesson which he would never forget. With a following of wild Stratherrick men, well-armed and devoted to their master's interests, he intercepted Lord Saltoun and his party at Bunchrew, near Inverness, soon after the latter, accompanied by Lord Mungo Murray, had set out on his homeward journey. Saltoun's party were superior in numbers to their assailants, but they showed no fight, and having meekly surrendered, were quickly disarmed. They were taken to the tower of Finellan, belonging to a Fraser who was an adherent of Saltoun, and were there kept in close confinement until their ultimate disposal had been decided upon.¹ They were useful as pledges, and as a fact, the Government did not dare to send troops against the Beauforts until the prisoners had been released, and their captors had retired to a secure place.²

Simon Fraser had now burned his boats with a vengeance. He must have known that he would have to answer for the outrage, and that the first step in the policy of intimidation would have to be followed by others still more perilous. Realizing his danger, he summoned the whole of his adherents to arms, and soon a following of some hundreds of faithful Frasers, sworn on their dirks never to desert the Beauforts, had mustered under the walls of Finellan. The fate of the prisoners was the first thing to be considered. The Frasers had no quarrel with

¹ Memoirs, pp. 71, 72. Major Fraser's MS., vol. i. pp. 110, 111.

² Historical MSS., Commission Report XII., Appendix VIII., pp. 56-58. Report XIV., Appendix III., p. 136. The Lord Advocate reported that the "wicked men" (the Frasers) "sueer that if they be not indemnified, they will burn them quick," *i.e.* Lord Saltoun and his friends. Simon reported to Hill that "my Lady Lovat is with me under capitulation." She had to give him her word of honour that no troops would trouble him "till our treating be over"; otherwise, his pledges "would certainly suffer befor me or myne." The marriage with the dowager terminated the "treaty" in a sensational fashion!

young Lord Murray, though they liked not the name of him, nor did they desire to do any injury to the humbler prisoners. But Lord Saltoun, the Lowland Fraser who had basely attempted to steal the birthright of their lawful chief—why, that was another matter. They would at least frighten him out of his wits if they did nothing else. Accordingly, a grim gallows was erected in front of the room in which Lord Saltoun was confined, and the unhappy man was charged to prepare himself for being launched into eternity. He was told that he had but two days to live, and that he would swing in company with one of the recreant Frasers, his partisans, who would be selected from his fellow-traitors by a throw of the dice. This was a pretty prospect, truly, for the man who had left his home a few days previously to secure an heiress and an estate for his eldest son.

It is unlikely that there was ever any intention of hanging Lord Saltoun, but he himself believed the end had come. The prospect made him seriously ill. Few men in similar circumstances would feel boisterously gay, but Lord Saltoun's depression took an acute form. "The poor gentleman," says Major Fraser, quaintly, "finding this (his sentence) a hard pill to discheast (*sic*), contracted a bloody flux of which he almost dyed." He begged for his life, and was granted it on condition of his giving a written undertaking, under a penalty, to renounce all the pretensions of himself or his family to the estates. Glad to escape with an unbroken neck, he was quite ready to promise never again to thrust it into a Lovat noose. After being detained a little time longer, closely guarded, on a neighbouring islet in the Beaulieu River, the prisoners were released.¹

The outrage committed upon Lord Saltoun and his friends was warmly resented by the Marquis of Atholl, who had little difficulty in obtaining the necessary

¹ Memoirs, pp. 71, 72. Major Fraser's MS., vol. i. pp. 111, 112.

authority for dispersing the armed body of men gathered together by the Beauforts. Simon Fraser saw that he was getting into a tight place. He had to get out in the best way possible. But which was the best way? He consulted his friends, and their advice (which coincided with his own views) was that, having gone so far, he should go a long step further by marrying, with or without her consent, the dowager Lady Lovat, who (he says) professed to everybody that "she loed him."¹ Their argument (suggested probably by Simon himself) seems to have been that the marriage would appease the wrath of the Atholl family, and would ultimately lead to the goal which they all had in view. A curious argument, one would think, but a hot-headed youth of twenty, flushed with victory (and possibly liquor), is not the best judge of what is reasonable.

Simon and the dowager were no strangers to one another. He had been a constant visitor at her home during the lifetime of her husband, Lord Hugh,² who, clearly, was very fond of him, as weak men frequently are of strong ones. The lady herself was at this time thirty-one years of age (she was born in 1666), so she was not old enough to be his mother, as he unkindly asserts, though perhaps too old to be the wife of an unlicked cub of twenty. Whether she was "dwarfish in her person and deformed in her shape," as he also asserts, we have no means of knowing. When Simon wished to drive an argument home, he was not exact in his choice of language.

Whether the dowager "loed" young Beaufort or not, she made a show of resistance to his advances. Perhaps she liked not the manner of the wooing, which is not surprising, although in those days rough courtships were not uncommon. But to keep the prospective bride a

¹ Correspondence of Hooke, vol. i. p. 136. *Memoirs*, p. 63.

² *Memoirs*, p. 63.

prisoner in her own house, while armed guards prevented any communication with her friends, was not exactly a seductive mode of courtship. Yet that was what Simon Fraser did. What else he did is best described in Major Fraser's words. "The Lady not yielding willingly," says the Major (who, himself, or his brother, must have been present), "there was some harsh measures taken, a parson sent for, and the bagpipe blown up."¹ The parson was Robert Munro, minister of Abertarff—"a poor sordid fellow," says Arnot, who describes the subsequent trial. The ceremony was performed, and the dowager, willingly or unwillingly, became the wife of young Beaufort.

A curious wedding, truly! According to the depositions of certain witnesses, the skirl of the bagpipes, which were played incessantly, was intended to drown the cries of the unhappy victim. Some of Simon's apologists besides himself, have asserted that she was not an unwilling sacrifice, one of them, a contemporary, stating that "the Lady agreed to be compelled to what she was inclined to, for fear of drawing on herself the resentment of her brother." "The compulsion," he adds, "was a farce to blind the Marquis of Atholl. She was ultimately forced to comply to agree to the punishment of a husband she loved."² It is, perhaps, as easy to believe these statements as to credit the assumption that if the brutal violence described at the subsequent trial had really taken place, she, the daughter of one of Scotland's greatest noblemen, the granddaughter of one of England's proudest peers, and the great-granddaughter of a Prince of the Blood of half the countries of Europe, could ever have regarded with feelings other than those of abhorrence, the author of treatment which a slut from the slums would have resented as an insult to her womanhood. Yet the dowager Lady Lovat refused at first to

¹ Major Fraser's MS., vol. i. p. 114.

² A Free Examination, etc., p. 27.

prosecute her alleged assailant for rape. Moreover, there is evidence to show that whatever her sentiments were before marriage, she became attached to young Beaufort afterwards, and according to the "certain knowledge" of Major Fraser, insisted upon the celebration of a second marriage with him (the minister being Mr. William Fraser of Kilmorack), in order to leave no doubt that she was his lawful wedded wife.¹

The glorious inconsistency of the sex is doubtless a factor that counts in the argument. Some women will forgive, even seventy times seven, gross brutality in the men they love, if their devotion is capable of reaching so sublime a height. But there are some things a woman will not forgive, and it is hard to believe that the acts alleged against Simon Fraser in connection with this marriage are not included in that category. Therefore, if they were true, the amiability of the dowager must have been little short of angelic, or Simon's blandishments in excusing his conduct little short of mesmeric.

It is not too much to say that throughout his life, the supposed rape of the dowager met Simon at every turn, and discredited him among his contemporaries, though he lived at a period that was certainly not remarkable for squeamishness. Wherever he went, the story had preceded him, and he had reason to curse the day that the "parson was sent for and the bagpipe blown up." Yet the evidence against him of criminal barbarity is rebutted; first, by his own indignant denials² (which form the least weighty argument); secondly, by Major Fraser's statement that he was "falsely accused of a rapt"³; and thirdly, and chiefly, by the fact that, the only witness who could prove want of consent not appearing against him,

¹ Major Fraser's MS., vol. i. pp. 114, 115. *Genuine Memoirs*, p. 11.

² *Memoirs*, pp. 62, 63. *Correspondence of Hooke*, vol. i. pp. 136, 137. Addl. MSS. 31251 (Rochester).

³ Major Fraser's MS., vol. i. p. 129.

the charge was abandoned.¹ "It is to be observed," writes the Earl of Argyll to "Cardinal" Carstares, "that they durst not pursue him for rape"²; and yet the depositions which were taken, and upon which historians have relied, would seem to prove the charge conclusively. When, on a later occasion, Simon's wife was induced to pursue him in Court, the charge was watered down to the modified interpretation of "rapt" in Scots law, which is analogous to the Rape of Proserpine.³

When the news of the alleged outrage at Castle Downie reached the ears of the lady's friends, the machinery of the Privy Council was at once set in motion by her brother, Lord Tullibardine, for the punishment of young Beaufort.⁴ The latter did not await the result. Well he knew that if he were once in Tullibardine's clutches, his honeymoon and his career would simultaneously be cut short. So he withdrew with his bride to Eilean Aigas, a little island in the Beaully River, well adapted for defence against unwelcome intruders. He was well guarded by his faithful Frasers, whose vigilance defeated all plans to capture him. On one occasion, Lords James and Mungo Murray, from their headquarters at Inverness, attempted to effect a night surprise, with the aid of a faithless Fraser. But Simon, informed by his friends, who sent "men in women's clothes" to warn him, was ready for them, and the danger passed.⁵

The King's messenger crept stealthily at night to the

¹ Somers Tracts, vol. xii. pp. 441-446. Hugo Arnot's Collection of celebrated Criminal Trials in Scotland, pp. 79-81. In those pages a full account is given of the charges against the Beauforts and their accomplices, with the result of the trial.

² McCormick, Carstares, p. 432.

³ Addl. MSS. 31251 (Rochester). Correspondence of Hooke, vol. i. p. 141.

⁴ Marchmont Papers, vol. iii. pp. 142-145. Hist. MSS., Com. Report XIV., App. III., pp. 136-139.

⁵ Major Fraser's MS., vol. i. pp. 115-119. Correspondence of Hooke, vol. i. p. 138.

riverside opposite Aigas, and left a citation in a cleft stick—a good service, presumably, but a most dangerous proceeding notwithstanding; much more dangerous than poaching salmon in the Beaully! Possibly Simon may have used the citation to light his pipe. On the next occasion, the messenger performed his duty with deliberation and confidence at the market cross of Elgin, the nearest Lowland town. Had he blown his trumpet or cow's horn at Eilean Aigas, the third blast would probably have been followed by the cropping of his ears, as being manifestly too long.

What are called in Scots law "letters of intercommuning" were issued in November, 1697, against the Beauforts and their associates; such letters being in effect an order, accompanied by threats, to "all our lieges and subjects whatsoever" to treat the accused as pariahs. Further, a reward of two thousand merks was offered for bringing in either or both of the two Beauforts, *dead or alive*.¹

Meanwhile Simon was "not at home" to his wife's friends. "I am afraid," he writes John Forbes of Culloden, that "they will propose something dangerous to her." So he was careful not to give them the opportunity. His wife, however, was "uneasy till she see them," and Simon confesses that, "I know not how to manage her," and that he has "a hard task at home." Colonel Hill, the Governor of Fort William, writing to Culloden on November 7, 1697, expresses his concern about Beaufort having "played not the fool, but the madman," and states that if Culloden cannot induce Simon to deliver up his wife upon assurance of pardon, he will probably ruin himself and his friends.²

The Murrays at Inverness spared no pains to get their

¹ Somers Tracts, and Arnot (see *ante*).

² Culloden Papers, pp. 23, 24. Simon sent a statement of the Saltoun affair to Hill, who forwarded it to the Chancellor, the Earl of Marchmont (Hist. MSS., Com. Report XII., App. VIII., pp. 56-58).

sister out of his clutches. They commissioned Culloden, Simon's friend, and Leonard Robertson of Straloch, one of their own partisans, to interview Beaufort at Eilean Aigas, ostensibly to inquire about his wife's health, a report having gained currency that she was dead or dying. Simon received Culloden hospitably, but snubbed Straloch. The lady was produced in order to testify in person to the validity and the happiness of her marriage. On both points she satisfied Culloden, according to Major Fraser, who was present.¹

A day or two afterwards, her brother, accompanied by Lord Forbes from Inverness, and a troop of horse, went to Castle Downie, the dowager's residence, whence Lord Forbes opened negotiations with Simon through Campbell of Calder, Rose of Kilravock, and Colbert of Castlehill, with the object of inducing Beaufort to permit his wife to visit her brothers. The understanding was that if she acknowledged the validity of her marriage, she was to be sent back to her husband. The dowager protested with tears against the proposal, solemnly assuring her husband that he would never see her face again if he acceded to the request. "I know," she said, "that his (her father's) malice will run against you, and that if he gets hold of me, I must decline you as never to be married to you." She asked to be sent to Skye to stay with the Macleods, her husband's relatives, until better days dawned for both of them. But Simon, relying upon Lord Forbes's word, and actuated by prudential motives, insisted upon her going to Castle Downie, asserting that the weather was too severe for a journey to Dunvegan. So, accompanied by the negotiators, with Fraser of Culduthel (the Major's elder brother) and a maid, the unhappy woman left the little island to pay the visit which she dreaded. When the party arrived at Castle Downie, Calder, Kilravock, and Campbell were forcibly prevented from entering, but

¹ Major Fraser's MS., vol. i. p. 122.

Culduthel was admitted with the dowager. When asked whether she was lawfully married to Captain Fraser, she replied in the affirmative, whereupon her brother, Lord James, kicked her (so says the Major), and with a curse demanded if she really owned herself married "to such a villain." Culduthel, "seeing his chief's lady soe used" (the point of view is interesting), went to the rescue and attacked Lord James, but was overpowered. Next day, Forbes, breaking faith with her husband, ordered her to be sent to her father's house at Dunkeld. The three lairds who had acted as negotiators "got public notaries and stopped her at the Cross of Inverness," where she declared that she was being taken away by force. Refusing, says Simon, to pursue him, she was kept by her father in solitary confinement for a year; and he denied her the use of writing utensils to prevent her from communicating with her husband. Obviously, she was not a strong-minded female, capable of taking her own part. Perhaps she did not really know her own mind from first to last in this matrimonial transaction. Her foreboding came true. So far as is known, she never met Simon Fraser again. Her perplexed husband, who was much concerned about her "constancy" (to his interests), sent a letter to her by John Fraser (another brother of the Major's), who managed to get it delivered into her hands; but before she had time to read it, her mother entered the room, and the letter was hastily burned. And poor Fraser, the bearer, got three months in a dungeon for his pains.¹

¹ Major Fraser's MS., vol. i. pp. 123-127. Correspondence of Hooke, vol. i. pp. 138-139. Cf. accounts given in Marchmont Papers, p. 145; Hist. MSS., Com. Report XIV., App. III., pp. 138-140. The statements of Lord Forbes differ in some essential particulars from those supplied by Simon and Major Fraser. Forbes states that Simon having fled, "the Lady Lovatt came that day to me to her house of Castle Downy," and elected to go with her brothers to Inverness. But he admits that while she stayed the night at a house close by, the people of the neighbourhood made a noise "as if she

were carried away by violence." He admits also that "the whole country are entirely addicted to him" (Simon). It was the object of Forbes to make it appear that the dowager was an entirely free agent in returning to her people. A letter from "Al. Anderson" to the Lord Chancellor, dated Inverness, December 17, 1697, gives an account of the whereabouts of Simon, with whom were several of the chief men of the Frasers, including Major Fraser, the author of the much quoted MS. They had removed to the remotest parts of Strathglass, which were difficult of access. Every precaution had been taken by them to guard against a surprise, and the country people were all friendly towards them. The garrison at Inverlochy had been reinforced from Fort William, and an attempt to surprise the refugees was to be made. A great storm had interfered with the arrangements. Some of the Frasers wore "the livery of Lord Tullibardine's regiment."

CHAPTER IV

SIMON FRASER was now about to have one of the most exciting periods of his life. A military expedition was sent in February, 1698, to take him and his father, with their accomplices, dead or alive. The result was unsatisfactory from the point of view of the military, for Simon, from his knowledge of the country and the faithfulness with which he was served, baffled all attempts to seize him. He writes in a grandiose style of the ease with which he evaded or defeated "the several regiments of cavalry, infantry, and dragoons" sent against him. Elsewhere, he says that they ordered "all the forces, horse and foot, then in the kingdom, except the Horse Guards,"¹ against him and his clansmen. But, allowing for these exaggerations, there seems to have been a considerable force in the field. "The Marquis of Atholl then joined the King's forces with eight hundred of his men," says Major Fraser.² For a time young Beaufort got the better of them, though his country was ravaged by the Atholl men under Lords James and Mungo Murray. At length the pressure became so great, that he was compelled to fly with some of his chief supporters over the hills to Skye, where he had previously sent his old father for safety. Behind the strong walls of Dunvegan Castle they

¹ Memoirs, p. 74. Correspondence of Hooke, vol. i. p. 137.

² Major Fraser's MS., vol. i. p. 127. In addition to Atholl's men, there were five troops of dragoons, and Colonel Hill sent two or three hundred of his best men from Fort William (Marchmont Papers, vol. iii. pp. 143, 144).

could dwell in security, and under the hospitable roof of Macleod, the elder Beaufort died, a year afterwards (May, 1699). His son erected a monument to his memory, which may still be seen in the Dunvegan Churchyard. The inscription describes his good qualities as a chief, rather than reciting his virtues as a man—a characteristic touch. But that Simon Fraser was devoted to his father there is no manner of doubt. And a wholly good son cannot be a wholly bad man.¹

Before his death, the elder Beaufort figured with his son in a remarkable trial. In June, 1698, an action was commenced against him and twenty of the chief men of his clan, including Simon, for high treason in forming unlawful associations, collecting an armed force, and continuing in arms after being charged by a herald to lay them down. Evidence was also taken to prove a charge of "excessive barbarity" against the younger Beaufort for his treatment of the dowager Lady Lovat; but, as already stated, the charge was not proceeded with. There remained, however, the charge of high treason. Of course, the accused men did not appear in Edinburgh; they had no fancy for putting their heads deliberately into a noose. Legal authorities concur in stating that by the ancient law of Scotland, trials for treason could not be held in absence of the accused, and that in exceptional cases where trial after death was admitted by Scottish jurisprudence, the bones of the deceased were actually dug out of the grave and formally presented in Court. During the persecution of the Covenanters, the law was stretched to facilitate the proceedings of the Court of Justiciary; but from the Revolution down to the present day, the prosecution of the Frasers is said to be the only case on

¹ Simon states that his father was wounded at the battle of Dunbar; that he was "out" with Middleton (the first Earl); that he was imprisoned in Cromwell's Fort, Inverness, sentenced to death, and ransomed by the payment of 100,000 merks to the English. Addl. MSS. 31253, ff. 4, 5.

record, of proof being led before a jury, a verdict returned, and sentence pronounced forfeiting life and estate—all in the absence of the accused. Even in the case of the Covenanters, the law was stretched with the object of punishing open and manifest rebellion against the Crown, whereas the Beauforts and their associates had done nothing which could be so construed.¹

In September, 1698, the whole of the accused were condemned to death as traitors, with all the horrible concomitants of that sentence, and their arms were "battered upon the cross-trophy."² It shows that a little over two hundred years ago, it was possible to drive a coach and four through the law of Scotland if the driver were sufficiently masterful. Incidentally, it may be remarked that when one reads in the Lord Advocate's "Information" of the "roaring of the great bagpipe" (which suggests the Cockney's "'owling of the nightingales"), and when one sees it seriously stated that a *coronach* is "the ordinary signal for convocating men in arms," one ceases to wonder that what would have been "private rapine" in trews should be "high treason" in kilts.

The forfeiture of the Frasers gave rise to great misgivings. Writing to Carstares on September 6, 1698, Lord Seafield (Tullibardine's colleague) says: "The Earl of Tullibardine has been this week employed in the

¹ This matter is fully discussed by Arnot (see *ante*). See also letters from Argyll to Carstares (McCormick, Carstares, 431-433, 449, 450) concerning the trial. Ross of Balnagown, who was married to Argyll's aunt, was a strong backer of his cousin, Simon, who owed him money, and whose sole "visible estate" was the dowager's jointure. Balnagown went to Edinburgh at Argyll's request, to attend to Simon's interests—and his own. One of Tullibardine's brothers, and three other men, surreptitiously searched Balnagown's lodgings for papers. Argyll states that the prosecution "brought a woman to swear violence done to the lady (the dowager), who saw her not for five days after." In a letter to Balnagown's wife, Argyll refers to the success he has had in serving Simon, whom he calls "Lord Lovatt" (Hist. MSS., Com. Rep. VI., Pt. I. and II., p. 718).

² Letter, Seafield to Carstares (McCormick, Carstares, p. 441).

prosecution of the Frasers. There are twenty of them forfaulted in absence. I cannot indeed justify Captain Fraser in his proceedings; but yet the rendering of so many men desperate is not at all to the interest of the Government."¹ And Argyll, writing in the same strain on September 27, complains of the illegal proceedings of the Murrays against the Frasers. People, he says, are afraid to complain of their high-handed behaviour: "they threaten so hard and bite so sore."²

When Simon returned from Skye to his own country, he found it overawed by the Murrays. Recognizing the hopelessness of making a successful stand against the superior forces opposed to him, Simon retired to Stratherrick, having only a body-guard of some fifty men about him for his protection. The Marquis of Atholl, who was now conducting the operations in person, had his spies all over the district, and on discovering that his elusive foe had returned from the west and was now in Stratherrick, resolved to attempt to capture him.

Some three hundred men, under Atholl's sons, Lords James and Mungo Murray, and guided by two Frasers, accordingly attempted a night surprise. They had reached their destination before Simon, who was then in Inverness (disguised, no doubt), heard of what was happening. He might easily have escaped to the Aird, where he would have been perfectly safe, but he determined to save Stratherrick if he could. So he sent swift runners to warn his friends, and to appoint a rendezvous where resistance could be successfully organized. Immediately afterwards, he set out with one attendant for Stratherrick, where he had the satisfaction of finding that his plan had so far proceeded favourably. Some of his friends, alarmed by the rumours which had reached them about the strength of their foes, were in favour of

¹ McCormick, *Carstares*, p. 437.

² *Id.*, p. 450.

abandoning the country to the ravagers. But Simon would have none of such timorous counsel, and advocated hanging upon the enemy's flank, if meeting them in the open were found to be impracticable. His representations prevailed.

When the Atholl men had encamped for the night in a well-chosen position, their opponents, too weak to attack them until reinforced, sniped them by the light of the camp fires, and thus kept them in a state of constant alarm until the morning, by which time the additional Frasers had arrived. Simon had now assumed the title of Lord Lovat—his father having died a few days previously—and as their chief, his men were consequently more devoted to him than ever. By a stratagem which depended for its success upon the intelligence and quickness of one of Lovat's lieutenants, big Alexander—a Keppoch Macdonald—the Atholl men were caught between two fires, and having no stomach for fighting the Frasers, surrendered at discretion. The sons of the Marquis were furious at the thought of surrender, but Major Menzies, who was in command of the party, ran in front of his men "with a white handkerchief or neckcloth tied on a bludgeon, crying out for mercy."

By his own admission, Lovat and some of his young men "were peremptory for putting them all to the sword," if they did not choose to defend themselves; but they were overruled by the older and wiser men of the clan. Before the prisoners were released, however, they were compelled to swear upon a naked sword a terrible oath, by which "they renounced their claims in Jesus Christ and their hopes of Heaven, and devoted themselves to the devil and all the torments of hell, if they ever returned into the territories of Lovat, or occasioned him directly or indirectly the smallest mischief." The captive lords were forced to sign a document, obliging themselves by the same fearsome oath, and under a money penalty, to



ARCHIBALD, 1ST DUKE OF ARGYLL.

[To face p. 37.]

prevail upon their father, the Marquis of Atholl, and their brother, Lord Tullibardine, to indemnify Lovat for all the injuries they had committed upon him, his friends, and his estates. Why did Simon not detain the two Murrays as hostages? That would have been the approved method for a robber chief, a condemned traitor, and an arch-ruffian, by all of which names he was branded, to adopt for extorting terms from his enemies. Under all the circumstances, Lords James and Mungo were lucky to have got off so easily. They would certainly have fared worse at the present day, if captured under similar conditions by the mildest of bandit chiefs whose life they had sought. Lovat tells us that he was afterwards blamed for his lenity on this occasion. He gained nothing by it, for although the two lords do not appear to have troubled him further, they failed to "prevail upon" either their father or their brother to give the slightest satisfaction to him. On the contrary, the latter persecuted him more relentlessly than ever. But Lovat had at least the gratification of seeing the men sent to capture him, compelled to march between the ranks of his followers, "like so many criminals," and quit in this ignominious fashion the Fraser territory by the way they came. He had his men drawn up in two files for the purpose, "in conformity to an example he had read in the Roman history." It was a proud day for Simon.¹

The new Lord Lovat was not altogether without friends at Court. Incomparably the most influential of these was Archibald, tenth Earl and first Duke (creation 1701) of Argyll, who was *persona grata* with William of Orange. His services in promoting the Revolution were not forgotten, and he was enabled to repair the shattered fortunes of his family, and restore the prestige of the Campbells in

¹ Memoirs, pp. 78-96. Addl. MSS. 31251 (Rochester). The Atholl men seem to have done considerable damage in the Fraser country (see Correspondence of Hooke, vol. i. p. 138, and Major Fraser's MS., vol. i. p. 128).

the west of Scotland. In the Lowlands, the Argylls were esteemed, or feared, as the heads of the Whig and Presbyterian interest, in the consistent support of which they had suffered and died. In the Highlands, they were esteemed, or feared, as the chiefs of the great Clan Campbell. For generations they had dominated their less enlightened neighbours, and pursued an unwavering course of gradual aggrandizement at their expense. *MacCailean Mòr* (son of Great Colin), the patronymic of the Argylls, was a name to conjure with, not only in the shire from which the family took its name, but in Perthshire and other parts of the country, where offshoots from the parent stem had taken root and flourished. At the beginning of the eighteenth century, the Argylls, the Atholls, the Gordons, and the Seaforths (Mackenzies), were the greatest territorial magnates in the Highlands, and the balance of power was so nicely adjusted between them that any disturbance of the equilibrium was regarded as a menace to the public weal. Successive Administrations attached considerable importance to the maintenance of the balance. When the Earl of Seaforth—attainted for his share in the risings of 1715 and 1719—received his pardon in 1726, one of the chief considerations that influenced the Government was admittedly the soundness of the policy which dictated a continued division of authority between the four noblemen, each of whom was the head of a powerful clan.

Such, then, was the position when Simon Fraser turned to the Earl of Argyll for countenance and help. The Houses of Atholl and Argyll were irreconcilable foes. In addition to the hereditary antagonism of interests which could scarcely be avoided, the Marquis of Atholl was particularly obnoxious to Argyll, as being one of the principal instruments in driving his father to ruin and the block. Atholl and his eldest son were also avowed enemies of Lovat. Clearly, therefore, Argyll was a man

whose friendship Lovat was bound to cultivate. As a fact, he cultivated it most assiduously, and with such success that Argyll took him under his patronage. This was an immense advantage to Lovat, for his patron possessed the entire confidence of King William, who was wont to declare that he got more truth from Argyll than from all the rest of his servants in Scotland. Moreover, Argyll was friendly with "Cardinal" Carstares, the King's Scottish chaplain, concerning whom it was stated that he was "properly Viceroy of Scotland," and that "few Scotsmen had access to the King but by him"; which was perfectly true.

During the life-time of the elder Beaufort, a written appeal (obviously drafted by Simon), signed by "Lovat" and seven of the Fraser gentlemen, was made to Argyll, beseeching him to protect his old relations, faithful friends, dependents, and sword vassals, against impending ruin at the hands of their enemies. Reference is made to "my eldest son's marriage" to the dowager, "by which we have gained a considerable advantage";¹ the very event which Simon subsequently described as "that fatal marriage," which was the cause of all the disasters that had since befallen his "fortune, reputation, and kindred."²

When this appeal was issued, the time was not propitious for Argyll to interfere. But the trial of the Frasers gave him a pretext for coming to their assistance. On September 3, 1698, he urged upon Carstares—who was no friend to Tullibardine—that the King could not do a more acceptable thing to the generality "than to pardon Simon for the convocation in arms. As to what else, he will stand his tryall. If Tullibardine be allowed to go on . . . it may occasion a deal of bloodshed, for if one begin, all the Highlands will in ten days fly together in arms."³

¹ McCormick, Carstares, pp. 434-436.

² Correspondence of Hooke, vol. i, p. 136.

³ McCormick, Carstares, p. 433.

But it was not until the following year that Argyll's representations prevailed, and that Simon was instructed by his patron to lay down his arms and come to London to receive his pardon. He tells us that during the time that he was a hunted outlaw, Atholl employed more than twenty persons to murder him, and that Tullibardine seized his young brother, then at school in Glasgow, and kept him several months in a dungeon, "with witches and sorcerers that were under sentence of death."¹ It is scarcely necessary to say that these statements must be accepted under reserve.

¹ Correspondence of Hooke, vol. i. p. 140.

CHAPTER V

KING WILLIAM was easily persuaded that Lovat's treasonable offences had no foundation in fact. Before leaving England on a visit to Holland, he ordered the Earl of Seafield, the Secretary for Scotland, to draw up a pardon. But Seafield, fearing the displeasure of his colleague (Tullibardine), procrastinated, and the King left England without signing the papers. Lovat, afraid of venturing back to Scotland, suddenly resolved upon a visit to the Royal exile at St. Germain. He tells us that his cousin, Sir John Maclean (whose mother was a daughter of John Macleod of Macleod), introduced him to the Duke of Perth, who "received him with open arms and immediately led him to King James," the Queen and her son being also present.

The main object of Simon's visit, according to his own showing, was to blacken the character of the Atholl family, and in this he seems to have been fairly successful. The King "grew extremely warm" in his indignation against "that perfidious and traitorous family," which, he added, "I will do everything in my power to exterminate." Indeed, so persuasive was Simon that he succeeded in obtaining the signature of James to a document, engaging on behalf of himself and his successors, to protect Lovat and his posterity against all their enemies in Scotland, particularly against the Murrays. So solicitous, in fact, was the King for the welfare of his loyal Lovat, that he recommended him to make his peace with the Usurper of Orange in order to save his clan.

Accordingly, Simon set out for Loo, where Carstares received him cordially and represented his case so effectively to King William, that a pardon was drawn up covering every conceivable crime with which Lovat was charged. Victory now seemed to be well within Simon's grasp, but once more his hopes were disappointed. The treachery of a clansman, whom Lovat suspected of having sold him to Atholl, or the timidity of Lord Seafeld, who was afraid of offending Tullibardine, resulted in the suppression of the complete pardon, and the substitution of a modified form, which comprehended the charge of treason but excluded the charge of rape. It has been doubted whether even the modified pardon was ever granted, but the actual document was found among Lovat's papers some years later: it embraced within its scope his accomplices who had been convicted with him of treason.¹

The foregoing is Lovat's account of what took place at St. Germain and at Loo.² On the other hand, Lockhart of Carnwarth asserts that King James "would not during his life allow him (Lovat) to come to the Court of St. Germain."³ But Lovat's account of his proceedings at St. Germain was apparently submitted to the Duke of Perth, who was in a position to check its accuracy. And it is perfectly true that Lord Seafeld, the Secretary, refused to sign his pardon. That was left to the Under-Secretary "at the instance of Mr. Carstares, one of his Majesty's Chaplains then attending him in Holland."⁴

Armed with his (modified) pardon, which seems to have been granted in 1699 or 1700, Lovat went home "to enjoy his estate." He tells us that "the whole North of Scotland was so overjoyed for his having got his estate, that he was received like a Viceroy, and a body of horse

¹ Scottish Conspiracy Papers, p. 13.

² Memoirs, pp. 99-106.

³ Lockhart Papers, vol. i. p. 79.

⁴ Somers Tracts, vol. xii. p. 437.

convoying him from one county to another; and he and his family was so lov'd in the country that the gentry of the shire of Moray offer'd him a sum of money to pay the debts of his family without interest for ten years."¹ Fortunately for the Morayshire gentry, the offer was not accepted. Perhaps the sum offered was insufficient.

In the meantime, Lovat had "formed a process with the concurrence of the Lord Advocate" for the sum of "four hundred thousand livres" (!) against Atholl for plundering his estate, and a criminal process for having killed some of his kinsmen. "If King William had lived six months longer," he declares, "the Atholl estate would have been ruined, and the Marquis would have been forced to take a remission from the King for his cruelties without shadow or order of law."² The Marquis met this action by reviving the old charge of rape, having meanwhile persuaded his daughter to pursue Lovat for the modified form of "rapt," to which reference has already been made. Lovat tells us that his wife sent him a private message, offering to declare for him before the Court if he would live with her again. Apparently the prospect did not prove alluring to Simon, for he wished to marry a certain "young woman," his family being "weak," *i.e.* badly off. However, he was quite prepared to meet the charge (all former sentences being suspended during the trial) and set off for Edinburgh with some forty witnesses, "whereof several were Parliament men and ladies of quality, and he had several declarations and letters under the lady's hand, declaring her love to him while he was absent from her."³ The two ministers who had performed the marriage ceremony on two different occasions were among the witnesses.⁴

¹ Correspondence of Hooke, vol. i. p. 141.

² *Id.*, p. 138.

³ *Id.*, pp. 141, 142.

⁴ Major Fraser's MS., vol. i. p. 129.

But the trial never took place. Information reached Argyll that the dowager, under compulsion, was about to disclaim her marriage. Strong hints were given to him that the majority of the judges were against Lovat, and that Simon had no chance. "If he is found to-morrow in Edinburgh," said Sir James Stewart, the versatile Lord Advocate, "I would not give a sixpence for his head." Being strongly of the opinion that his head was worth an inconceivable number of sixpences, Simon very wisely resolved to take no risks. Argyll furnished him with advice, money, and (most useful of all) a swift horse, desiring him to ride with all good speed to his seat at Chirton, near Shields. Argyll subsequently joined him at Chirton, and together they journeyed to London, where Lovat appears to have been a constant visitor at the Earl's house.¹

Simon informs us with great gusto that his advocate protested that he would not appear, until Atholl should acknowledge him as Lord Lovat, and that the Marquis by an order of the Court was compelled to do so. "And the heraulds cited him at the Parliament House door three times 'Lord Lovat,' conform to the form of the Court." But, of course, no Lord Lovat appeared in answer to the summons, and the dowager missed the opportunity of again confronting her inconstant husband. If, as the latter suggests, she was "a woman scorned," her disappointment must have been keen. But Simon was anxious to be off with the old love before being on with the new, the latter being "a kinswoman of his own, Mr. Hugh Fraser's daughter, a merchant in London, by whom he was to get £20,000 sterling"; and he suggests this as one reason why he did not stand his trial.² In that case,

¹ Major Fraser's MS., vol. i. pp. 130, 131. Cf. *Memoirs*, pp. 106-110, and *Correspondence of Hooke*, vol. i. p. 142. The discrepancies between Simon's two accounts look a little suspicious, but Major Fraser's statement is probably correct in substance.

² *Correspondence of Hooke*, vol. i. pp. 142, 143.

the news of the dissolution of his "sham marriage," pronounced by the Court of Justiciary, must have been received by him with equanimity, since it left him free to secure the heiress and the £20,000 without delay. Sentence of outlawry was pronounced against him for non-appearance, which was more serious than the nullification of his marriage; but Lovat's flight was unfortunate for his reputation. "It fully satisfied the nation," says a contemporary, "of his guilt."¹

His witnesses made the best of their way home, but they were not suffered to go scatheless. Atholl punished them for their espousal of Simon's cause, by denouncing them as rebels and persecuting them in other ways. They were cited to appear in Edinburgh once a year for seven years—an intolerable hardship to some of them. Finally, "the most part of them were reduced to poverty, and garrisons kept in their houses, and themselves and their children exposed to the mountains and to the charity of good people." As for Simon himself, the only punishment that could be meted out to him, for the moment, took the rather harmless form of tearing his coat-of-arms at the market cross of Edinburgh.²

From this point commences Lovat's career as an adventurer, willing to sell his services to the highest bidder. We hear no more of the heiress and her £20,000; probably she was not 'willin'.' It is well to remember that Simon had been driven into a life of lawlessness by what was afterwards shown to have been an act of injustice; that he was without money or estates; that he dared not show his face in his native land; and that he stood no chance of obtaining redress in the Scottish Courts of Law. He was thus rendered desperate by his misfortunes; and in such circumstances was ready to embark upon any enterprise that offered a reasonable chance of

¹ Somers Tracts, vol. xii. p. 437.

² Major Fraser's MS., vol. i. pp. 132, 135.

placing him in possession of his property. Clearly, the sphere of action marked out for him lay in the field of politics. No other career possessed its possibilities for a man richly endowed by Nature for its most exacting demands. His political insight qualified him, under favourable conditions, to mount to the high seats of first-class statesmanship ; but his needy circumstances actually forced him to descend by the back stairs of intrigue to the hireling's place in the nether world of politics. Never were the opportunities more favourable, or the rewards more tempting to the political adventurer, than at the beginning of the eighteenth century. It was a time when political convictions were "unsettled." The favourite posture was sitting on the fence. The popular attitude was that of Micawber. Since the death of the Princess Anne's son, the Duke of Gloucester, in July, 1700, politicians clung to their fences with greater tenacity than ever. The various parties in the State anticipated, some with apprehension, others with hope, but all with concern, the death of King William, whose health was declining. What would happen when the Princess Anne ascended the throne? Would her affection as a sister prove stronger than her attachment to the Protestant succession? Would the trimmers have to look to St. Germain or to Hanover for the safeguarding of their interests?

While these questions were agitating England, the sister kingdom was asking others of a more practical nature. Eight winters had blotted out the stains that had reddened the snows of Glencoe with the blood of the slaughtered Macdonalds, but the memory of the deed had not been erased from the minds of the Scottish people. The King was blamed for his connivance at the massacre ; he is still blamed, if not for his connivance, at least for his carelessness. But at this particular juncture (1700), Glencoe for the moment was in the background. In its place was the disastrous Darien fiasco as a popular

grievance against William and the English nation. The Scottish people were infuriated by the unneighbourly opposition, instigated by trade jealousy, that had ruined the young colony. The Darien scheme was a national undertaking, and the causes of its failure were resented as a national insult. At this crisis, the hopes of the Jacobites in the North ran high. No more Dutch kings for Scotland: "we'll hae the auld Stuarts back again," was the prevailing sentiment. And as for the "auld enemy" (England), memories of Flodden were once more vivified. Yet, seven years afterwards, England and Scotland entered into an incorporating union. The truth is that the popular clamour in Scotland had little sting in it. The fighting men of the country were in the Highlands, and their chiefs were kept quiet by comfortable pensions. The Lowlands were noisy but harmless. "A whiff of grape shot" would have effectively quelled any attempt to enforce the patriotic sentiments that were so popular. Yet, at one time, there was more than a possibility of a coalition taking place between the "Country" (independent) party and the "Cavaliers" (Jacobites), against the "Courtiers" or Government party in the Scottish Parliament, having as its ultimate object complete severance from England, and the formation of an alliance with Scotland's ancient ally, France. The danger passed, but it taught a lesson.

Major Fraser refers to his chief, Lovat, as a likely person to "fish in drumly waters." The situation in England and Scotland in 1700-1 was sufficiently "drumly" (troubled) to give a skilful political fisherman like Simon promise of good sport and lucrative results, if he had the patience to wait for the fish to rise. Meanwhile his funds were running low. A person of his temperament usually has the misfortune to possess extravagant tastes, and if he is unable to gratify them, his state is indeed pitiful. Lovat could not remain for an indefinite time as a hanger-on

to the bounty of his patron. Argyll was kind to him, but kindness has its limits, especially if the recipient has nothing to offer in return but fulsome flattery. Simon could, and doubtless did, offer cartloads of compliments to his patron while waiting for something to turn up, but he does not appear to have been able to offer anything more substantial.

CHAPTER VI

TOWARDS the middle of the year 1701, Lovat's finances appear to have reached a very low ebb. We find him on June 20, 1701, writing to Carstares, "having no other door open," complaining of the neglect of his friends, declaring that it is impossible for him to remain in London, "not being able to subsist longer here," and asking for a loan of sufficient money to take him home to Scotland.¹ Carstares would appear to have been a useful auxiliary to the Scots Corporation of his day in helping his distressed compatriots in the metropolis. Apparently he had already promised a loan to Simon, and perhaps it was by his assistance that Lovat was finally enabled to pay a stealthy visit to his friends in the North.

But before leaving London, he wrote letters to influential people like the Marquis of Annandale, Lord Teviot, Sir James Stewart, and Major-General Ramsay, all couched in the same strain. The burden of his song was the malice of his enemies, the hardness of his fate, and the strength of his loyalty to King William. His circumstances obliged him to go home to his own country, in order that he might procure some money wherewith to enable him to get his business done with the King, who was then in Holland, "or serve in the army till my hard fate alter." He begged his correspondents for their friendship and protection.² It is not difficult to conjecture

¹ McCormick, Carstares, pp. 695, 696.

² Addl. MSS. 31251 (Letters to Annandale, Teviot, Stewart, and Ramsay).

the nature of his business with the King. He wanted a complete pardon and a clear title to his estates ; but that was a boon which William would not, or could not, grant. Simon complained to Carstares of having stayed so long in London and "got nothing done"; and apparently he might have stayed till the crack of doom without accomplishing his object. Tullibardine was out of favour at Court, and was no longer Secretary for Scotland, but his influence was still of sufficient weight to checkmate Lovat in any design he might form to evade the results of his outlawry.

Simon would have us believe that he went to the Highlands on a special mission from the King. He suggests that William desired Argyll to send him there, in order to exert his influence with the clans on behalf of the Government, war with France being imminent. He was to be rewarded with a regiment, and if he proved active in the service of the King, the latter would free him from the Atholl troubles and pay his family debts.¹ According to this statement, he must have gone to the Highlands not before September, 1701, and it was probably some time later. It is quite conceivable that Argyll, now a duke, may have encouraged his visit to Scotland, hoping that his visit might be productive indirectly of some good. But that Lovat was charged with a mission to the Highland chiefs is by no means probable. Clearly, the main object of his visit was to raise some money for himself.

It was not difficult for him to get assistance from his clansmen, who would have willingly starved rather than let their chief want anything they could supply. He tells us himself that he got "all the money his people could spare" after their oppression by Atholl.² He appears to have remained in the North for some little time, lording it over the Frasers in the Aird and Stratherrick. A bold

¹ Correspondence of Hooke, vol. i. p. 143.

² *Id.*, p. 143.

outlaw, truly! He snapped his fingers at the law once he was among his own people, for with them he was perfectly safe. He went about the collection of money in a thoroughly systematic fashion. Attended by an armed guard, he levied contributions, ordered the parish ministers to make whatever proclamations he saw fit, and generally carried himself "more imperiously than if he were lord and proprietor" of the estates—which was precisely what he claimed to be, and what the people believed him to be. And yet he only managed to collect a beggarly five or six hundred merks, while the dowager, who was in possession of the property, got no rent at all, the tenants averring that Simon had squeezed them dry.¹

But this sort of thing could not last. Once more the Murrays were on Lovat's track. On February 17, 1702, he was denounced by the dowager at the market cross of Edinburgh for his crime against her, and two days later, the lady petitioned the Privy Council of Scotland for a commission of fire and sword (which was granted) against him. On March 16, 1702, he was denounced as a rebel, and "intercommuned," at the market cross of Inverness.¹

Meanwhile, the death of King William had caused an alteration in Simon's plans. Was his ship about to arrive at last? She was laden with possibilities, which luck or skill, or both, might easily convert into solid gold. The "little gentleman in velvet" had perhaps done him a good turn. Anyhow, he would be prepared for all contingencies. Apparently, he had these in view when he issued a number of bonds to persons carefully selected for their usefulness, obliging himself (and his brother as cautioner) to pay the sums named on the bonds, which were redeemable at Martinmas, 1708, provided the recipients "should stand faithful" to his interest, "and no otherwise." Some of the bonds were granted on March 7, 1702, the day before the King's death, which would seem to suggest that Simon was

¹ Somers Tracts, vol. xii. pp. 446-448.

looking ahead. The issue of these bonds was an artful move on his part; they bound the holders very effectively to his interest, while affording him a loop-hole (of which in later years he took advantage) to escape payment if he so wished.¹

He tells us that, on hearing of William's death, he got 500 men together, and proclaimed James (the Chevalier de St. George, his father, James II., having died on September 16, 1701). He was resolved, he says, "either to perform some distinguished action in his favour, or to make advantageous terms for himself with Queen Anne." As a fact, he did neither the one nor the other. He confesses to have been the victim of a miscalculation. He believed that the Jacobite party would be immediately in the ascendancy. He believed also that the Duke of Hamilton and Tullibardine, the Duke's brother-in-law, would at once show themselves in their true (Jacobite) colours.² And in these circumstances, an early display of zeal on his part in the same cause would quickly right his fortunes. He was still, one may perceive, a political neophyte; he was only entering the school of statecraft. But he proved an apt learner.

Before leaving the Highlands, he seems to have sounded some of the chiefs on their readiness to take up arms for the King over the water. He tells us that he induced, not only them, but a "great number of the lords of the Lowlands, with William, Earl Marischal, and the Earl of Errol, Lord Constable of Scotland, at their head," to grant him a general commission to go to St. Germain, with the

¹ Collection of Papers in Lovat Cases. Fraser of Struy's claim for 4000 merks on a bond dated March 7, 1702, was contested in the Court of Session, and a decision was given in Lovat's favour on November 30, 1744. The action was brought by a son of the grantee, and Lovat produced evidence of the father's gratitude for assistance received from him. It was held for the defence that the interest being illegal, the bond was null. The date of payment (1708) was declared to be the year in or before which the restoration of the Stuarts was expected to be accomplished—a remarkable instance of political prescience, in view of the abortive French invasion of 1708.

² Correspondence of Hooke, vol. i. p. 143. Memoirs, pp. 115, 116.

assurance that they were ready to take up arms, more especially if fortified by the presence of the young King and an officer to command them.¹ In another place, he says that he went to France by the "great intreaty" of the chiefs, and with their "ample commission" for assuring the King (James) and Queen (Mary of Modena) and the King of France, of "their resolutions to expose their lives and fortunes for their King, and for the service of his Most Christian Majesty, who was the only support of the King their Master."² It is hardly necessary to say that the latter declaration was framed for the benefit of Louis XIV., whom he was then (1704) currying favour with by all the means at his disposal.

Notwithstanding Lovat's statement that "no one will dispute" the truth of his assertions, "except Atholl's creatures," the facts, on the whole, are against him. It is certain that he did not neglect his own interests when visiting his neighbours in the Highlands, for, by his own admission, he appears to have scattered his "insurance" bonds broadcast among those who were likely to be of service to him. But that a commission of the nature described by him was ever granted by the Highland chiefs, as a body, lacks probability, and it is still more unlikely that the "Lowland lords" would accept him as their representative at St. Germain. The fact seems to be that he was "hedging," an art in which he acquired considerable proficiency in later years. If his patron, Argyll, could help him under the new régime, well and good; if not, he clearly foresaw that St. Germain was the only hope. And if he went to St. Germain, he must have credentials, and he must not go empty-handed. It is probable that some of the chiefs gave certain vague assurances in the course of conversation, but it is doubtful if they went beyond these, since the new Queen was

¹ *Memoirs*, p. 119.

² *Correspondence of Hooke*, vol. i. p. 143.

a true Stuart, who was popularly believed to be also a good Jacobite. And even Lovat admits that the supposed readiness of his friends to take up arms, was contingent upon the "succours that might be necessary for such an enterprise." There is nothing to warrant the belief that at this stage of his career he had any means, save those of a plausible manner and a glib tongue, of swaying the policy of the Highland chiefs. Some of them were veterans, fighting under Dundee, what time he was struggling with Latin verbs. Some of them were in the camp long before he was in the cradle. But at a later period of his life, he could give points to all of them in the game of politics, and leave them hopelessly outclassed.

Lovat seems to have dawdled for some time in London after returning from Scotland. The truth is, he was still waiting for "something to turn up." He subsequently declared to a travelling companion that King William was to have given him a regiment, but Queen Anne was a woman who did not "respect merit." He could hardly have made that discovery unless he had put her appreciation of his merits to the test. Writing to the Duke of Argyll on May 2, 1702, he despairs of "saving myself or my kindred in this Government, so I am resolved to push my fortune some elsewhere." The Duke is reproached in this letter with his neglect. "Though your Grace," writes Simon, "had no regard to my person, I still believed that your Grace would save the name of Fraser from ruin." He inveighs against "Lord Tarbat and the Mackenzies . . . bloody enemies of all Campbells," who wished to possess his country and destroy his kindred, which would be "ane evident loss" to the family of Argyll.¹ Argyll and Tarbat were at that juncture in

¹ Addl. MSS. 31251 (Letter to Argyll). The gloomy tone of this letter is owing, doubtless, to the news of the marriage of the Lovat heiress to Mackenzie of Fraserdale. Hence the references to the Mackenzies and Lord Tarbat, to whose branch of the clan the bridegroom belonged.

hostile camps, and the antagonism between them may have been greater at the moment than between Argyll and Atholl. Wherefore, with much skill for so young a man, Lovat played on the string most responsive to the touch. The "bloody Mackenzies" are a change from the monotony of the "cruel Atholl family."

By this time, the fact had been clearly brought home to Simon that he had nothing to hope for from the new Administration. His enemies appeared likely to be in the ascendant in Scottish affairs. He had less chance of obtaining a regiment than of adorning a gibbet. Ruin gleamed fitfully before his eyes, and in fancy he saw his patron, the great *MacCailean Mòr* himself, with one foot over the precipice. "I have now lost my country and my estate," he wails mournfully to Argyll. "I do not," he adds, "value my personal loss, for I can have bread anywhere. But I regret that, after I am gone, there will not be ten Frasers together in Scotland, while there are now fifteen hundred ready to lose their blood for your Grace and your family." This was not mere claptrap. Nothing is clearer than the inordinate clan pride of Lovat. For individual Frasers he may have had, and did have in some instances, the loftiest contempt, but in the affairs of the Clan Fraser collectively, he had ever the most affectionate interest. He may not have been vain of his remarkable attainments as a man, but as Lord Lovat, chief of the Clan Fraser, his vanity was colossal.

His foresight in seeking his bread elsewhere than in England was justified by subsequent events. Argyll never regained his old footing at Court. His rivals in the race for the Queen's favour outstripped him. He may have been too independent to join in the rush for place and power, or he may have been simply indifferent, failing health sapping his old energy and ambition. He died at Chirton in September, 1703, of wounds received at a small house in the grounds of his estate, which he left to his

mistress. The results which flowed from his unhappy married life were a scandal to many, but King William, conscious of his political sagacity and usefulness, never wavered in his friendship for him. Queen Anne may have had different views. Before his death, he had the mortification to see Viscount Tarbat associated with the Duke of Queensberry as Secretary for Scotland; Tullibardine (then the Duke of Atholl), Privy Seal; while the Earl of Leven (the friend of Argyll and of Lovat, and the Commander of Edinburgh Castle) was among those who were "laid aside."

Lovat tells us in his "Memoirs" that Argyll, "who had a tender friendship" for him, warned him against remaining in England. His own head, said the Duke, was by no means safe, and "for a much stronger reason that of Lord Lovat was in great danger"; therefore, his advice to Simon was to cross the Channel without delay. The latter took leave of "his most faithfully ally and dearest friend with tears in his eyes, and a thousand protestations of gratitude and attachment." Lord Lorne disapproved of his father's advice, averring that the Court of St. Germain was unworthy of faithful service, and that, for his part, he would "shed the last drop of his blood" rather than espouse the cause of the dynasty that had oppressed the House of Argyll so grievously.¹ It is at least certain that Lord Lorne (afterwards the doughty warrior, "Red John of the Battles," and the illustrious Duke of Argyll) was consistent throughout his career in steadfast opposition to the Stuarts.

We have now brought Simon to the point at which every avenue seemed closed to him except the German Ocean. But before he left London, he appeared in the *rôle* of a lover under circumstances that are rather obscure.

¹ Memoirs, pp. 116-118.

CHAPTER VII

WHATEVER the distinctive qualities may be that make for success with the fair sex, Simon Fraser appears to have possessed them in an eminent degree. Where the secret of his fascination lay is readily discoverable. When a young man, his looks must have been passable, but he could never have been reckoned handsome, though his figure was well above the middle height. His face was broad, and his neck was short; his complexion was ruddy; humour lurked in the corners of his mouth, and the normal expression of his eyes, which were unusually far apart, was a blend of malicious fun and sublime self-confidence. Anyone studying Hogarth's well-known portrait of him in the National Portrait Gallery, painted when Simon was an old man, can form some idea of his appearance when he was young; but his sitting posture makes him seem stumpy, which we know from other contemporary sources he was not. Allowance must be made for the subjectiveness of Hogarth's portrait, but its revelation of character is in wonderful accord with the temperament displayed by Lovat's actions.

No, it was not by his looks that he won the hearts of women; it must, one feels assured, have been by his insinuating manner, by his abnormal powers of flattery, and by his gift of exciting interest in his personality, and evoking sympathy with his misfortunes. His conquests were not confined to one nationality: he was equally at home with Scotswomen, Englishwomen, and Frenchwomen. "*Les dames, Monsieur,*" said Madame de Maintenon

to him after he had come and seen and conquered in France, "*vous regardent comme un homme ravissant*"—a barbed *jeu-de-mots*, which must have made Simon wince.

His first recorded love-episode was with the dowager Lady Lovat; but it is only too apparent that whatever love there was, lay on one side only—and it was not on Simon's side. But when he was a hunted outcast in the wilds of Stratherrick, he formed a liaison with a girl of the neighbourhood, one Mary Cameron, who afterwards went to Wales with her child. She was there known as Mary Cameral, and her son, named Alexander, became a miner on attaining manhood. From this miner was descended the John Fraser who, in 1885, unsuccessfully claimed the Lovat title and estates. There may have been a "Scotch marriage" between Simon and Mary Cameron, but in that case, Simon must have committed bigamy, for his marriage with the dowager had not at that time been annulled.¹

These love experiences were not a promising commencement for a youth who had just attained his majority. His next adventure in the same field was of a frankly mercenary character, designed to buttress his (financially) "weak" family. He kept a steady eye on the £20,000 which he was to get with the daughter of Hugh Fraser, the rich London merchant. When that match was broken off, if it ever got so far as to be really on, Lovat turned elsewhere for consolation. Just before he left London for France, he was paying court to a lady named "Lucy Jones." Her letters to him show that she had fallen under the spell of his blandishments, thereby incurring, according to herself, the resentment of her "angry friends and malicious brother." Her letters are of some interest, partly for the sentiments they contain,

¹ Letter from Mr. W. Burns, solicitor, in *Inverness Courier*, November 26, 1907.

but chiefly for the sidelights they throw upon Lovat's character and circumstances.¹

Her first letter, superscribed "*pour Monsieur*," and dated May 2, 1702, expresses the "confusion" into which she has been thrown by "the surprising ill news which your Lordship has sent me"—the news in question being apparently his imminent departure from England, owing to his depressed circumstances. She desires to see him before he goes, "yet I would have you run no hazard for my satisfaction." She conjures him to write if he cannot see her. "I am distracted," she exclaims, "to think of your misfortunes, and those dangers you are to run through" . . . "I shall long extremely to hear you (are) out of your misfortunes, and will pray for anything that will bring you into England again" . . . "If you love me, I would have you continue to do so, and pray write frequently to me" . . . "Don't believe that anything can alter me, for I have a great friendship and esteem for you, and will have so whilst I live." She thanks him for a present he has made to her, and she has sent him one in return. "I would have you accept it to oblige me. Nay, further, I would enjoin you to wear it (the present is not named) on your wedding day, and when you (are) going to be married, let me know it, and to whom, that so I may rejoice in your happiness. I'll pray that you may enjoy all those good (*sic*) which Heaven can give or you can wish for, and after a long enjoyment of earthly, may you be translated to those eternal joys which only love of God and Faith can give us a foretaste of." She hates the thought of "an eternal farewell," but it is "in vain for me to hope otherwise." She desires him in a post-script to burn the letter, which she had some thought of doing herself, "for fear you should think me mad." She ends by bidding him once more adieu, "*pour jamais, je crain.*"

¹ Addl. MSS. 31251 (Letters from Lucy Jones).

The handwriting of this correspondent is commonplace, and her age is (literally) uncertain. But the picture presented to the mind is not that of a gushing young girl. Certain passages in her letters are ingenuous enough, but the ingenuousness of some women is like their hair: it may be natural or it may not. The correspondence of Lucy Jones with Lovat presents to the mind a picture of an experienced matrimonial angler, playing a young and vigorous Beaulieu salmon. A spinsterly simper of self-satisfaction is traceable between the lines of some of her letters, and her sentimentalism is of an unctuous brand, not usually associated with the thoughtlessness of "the young person." A marked trait of her correspondence is the deference she pays to Lovat's views; the humility, perhaps, of the clever woman who rules with her little finger the man she flatters with a sense of his overpowering superiority. Whoever and whatever she was, it is clear that the relations of Mistress Lucy with Simon were not clearly defined on the date of the first letter, from which extracts have just been taken. In her next letter, dated May 7, she tells him that he may see her when he pleases, but that he is not to come after ten, "for if you do, I must be forced to ask their leave to let you in." She was living with her sister and maid in lodgings, and her landlady, not unnaturally, was a little suspicious of Simon's visits. "I know not," Lucy writes, "how to pray for any wind that will carry you from me, for I fear to be forgot by you, fancying you do not think of coming to England again." There is another reference to Lovat's "troubles," which seem to have weighed upon the lady's mind. Also, her letters to him were usually written in a hurry. "My hast," she says, "has made me mistake and write you a letter upon the same paper that I begun one to the Bishop of Lincoln."

In her next letter, dated May 19, we get a glimpse of the cautious manner in which she was feeling her way.

As the daughter of Jones of "Stratford-atte-Bow" (the seal she employed affords this clue), it was a gratifying honour for her to receive the addresses of my Lord Lovat, whose importance was assuredly not diminished in her eyes by the representations of Lord Lovat himself. If she was impressed by his title, she was apparently still more impressed by the striking talents for the possession of which she gave him credit. Hence, the shy self-depreciation observable in her earlier letters, which gradually wore away as the process of disillusionment set in, or, as is more likely, when her hold over him became more secure. She had not yet passed the earlier stage when she wrote that she was "in abundance of concern whilst I use my pen, you being so great a judge of language." But she had no need to be afraid of Simon's criticism, for she was an apt pupil of his in the art of letter-writing. Her spelling (here corrected) was a trifle shaky in places, but was better than that of the average lady of fashion of the period. "Want of sense," she goes on to say, "not intention, makes my impressions so flat that they serve not to explain my sentiments. This, joined with the ill opinion you have justly conceived of my sex, makes you think me insincere. But your Honour allows exceptions to general rules, and there perhaps I may find room to creep in at, for, indeed, I am put to shift for myself since you cannot understand my meaning by my writing, and I am not able to give you a mathematical demonstration. But if to mean the thing one says is being sincere, then I am sincere, and if what is sincerely spoken ought to be believed, then when I say I respect you, I do speak sincere; therefore you ought to believe me." She hopes her letter will give him diversion. "I can as patiently bear your laughing at this as at the rest. But I charge you, keep it not a minute after you have read it, for if you do, I will write you dead when you come to town next." She thinks she might have been spared the pains she had

taken to convince him of her respect, "since if you do love me, it is with reluctance, and because you can't help it, you say. But I boast my conquest, if I have made one, neither will I free you." "*Et, mon Dieu,*" she exclaims, "what shall I say to you since you entertain thoughts of hating me? For I find I shall be concerned to part with you."

Lovat's departure was like Charles the Second's dying: he took an unconscionably long time to get it over. Lucy's adieus are freely scattered throughout the pages of her letters, before the final parting took place. The difficulties in the way of their meeting increased as his time in England grew shorter. His visits to her were made by stealth and after dark. One summer night, she got the keys of the house—with some difficulty, "for they are used to take them up into their chamber every night." She told them she had "a friend that was going a ship-board, and could not take his leave of me before eleven at night." She sat up till one in the morning, and then the mistress of the house, who was ill, sent for her keys, apprehending that the opening of the door might let in somebody else besides Lucy's friend, "that mought cutt her throat." Lucy was therefore obliged to give up the keys, "with a heavy curse, not being willing that you or I should lie at the mercy of their thoughts." She told him next day he must not come to the house any more, "because they ask my maid five hundred questions about you." She will meet him when it is dark, if he will go to "Mr. Campall," and she hopes that will be "without any danger to you." She would go "distracted" if he should suffer any ill upon her account. She does not know how to express her sorrow for last night's "dissopoynt." She avows that Simon has such power over her "that I know not what I would not say that would please you, and if you leave the town angry with me, and I see you not, expect to hear of my death. I beg of you to take care

of your life and health. I wait with impatience till night come. Adieu."

This letter is addressed not to "My Lord," but to "My dear friend," namely, "Captain John Campbell," alias Simon Fraser. It is clear from this, as well as from the references to his danger which appear in the letters of Lucy Jones, and the necessity imposed upon him of meeting her at untimely hours, that something had happened to make Simon's presence in London no longer safe. He was forced to drop his own name and adopt another (the useful Whig name of Campbell) in order to conceal his identity; and he dared not venture out until nightfall. It is probable that he was head over ears in debt, and had difficulties with his creditors. And he may have got into other scrapes as well. In one of her letters, Mistress Lucy asks, with rather startling inconsequence, "I would be glad to know whether you was so unlucky as to kill a man in a rencounter." A life of debt, duels, and duns, while not devoid of excitement, might account for Simon's desire to shun the society of his fellow-beings in London, until "the sable goddess" threw her protecting mantle over him. But there is reason to believe that the true cause of his alarm, and of his hasty arrangements for leaving England, was a renewed effort by his old enemy, Tullibardine, to get hold of him. In England he was, of course, free from arrest under the Scottish sentence of outlawry, but Tullibardine seems to have exerted his regained influence, with success, to procure the necessary authority for his apprehension. There is a bare possibility that rumours of the negotiations with the Highland chiefs may have reached the ears of the Government. Ever on the alert, and by no means friendless, Lovat may have received timely notice of what was going on, and may have taken his precautions accordingly.¹

¹ Mr. Martin Haile states (*Mary of Modena*, p. 365) that "Lovat's letters to Lord Nottingham, commencing with his first appearance at St.

The remaining letters of Lucy Jones carry us down to Simon's arrival at Harwich, where he was to embark for Holland. In one of them she confesses that she is "miserable," without telling him the reason. She can help him, she says, to curse her sex, because they first began to make *him* miserable. Obviously, she knew the facts (probably with embellishments) about the dowager. There are several references tending to show that Simon was posing as a misogynist; probably it made him more interesting in the eyes of his charmer. "Till I conversed with you," she confesses, "I had an indifference to all mankind, and was as free as the air I breathed in, and if Fortune will frustrate our design (marriage ?) let her present the smilings (*sic*) fairest look and make the kindest offer, I will accept none; live the person I am, and curse her to the end. Would you could hate me," she continues magnanimously, "so it would lessen your misfortunes, I could forgive it." Rather, however, would she wish "to see you from under the cloud, the storms blown all over, the sun shining." All this reads as if Miss Lucy were more concerned with the literary structure of her sentences, than with pouring balm into the wounds of her unfortunate lover. Her essay in philosophy does not rise above the commonplace. "Life," she sagely avers, "has such mixtures, that sure all wise people must despise it. It is the mart for fools and carnival of knaves." The succeeding sentences have a truer ring. "Would I could say anything to comfort you. I do not, nor will I forget you." She has to be careful where she posts her letters. She would not "put it into this office for fear they should know my hand and seal, and so take it out to give

Germain in 1699, prove him to have been the accredited spy of the English Government." I have not been able to discover any letters to support this statement, which appears, also, in Miss Strickland's *Lives of the Queens*, 1852, vol. vi. fo. 470, where the authority given is Inedited MSS. in the *Bibliothèque du Roi*. It may be observed that Nottingham was dismissed from office in 1693, and was not again Secretary until 1702.

my brother or my uncle"—an interesting sidelight on the dangers of correspondence two centuries ago. A postscript to this letter states that the writer "cannot yet guess the author of the dam'd letter sent to my brother." A singular lapse for the pious Lucy! The Bishop of Lincoln should have been at her elbow.

Another letter shows even more forcibly than the foregoing that the imminence of their parting had quickened the pace of the love-making. "If you should prove inconstant, expect not to see me alive," she says. The very thought of it had almost given her "a fit of sickness," and she had had a headache since she saw him; but since receiving his letter (which was accompanied by "a noble present") she had "no complaint, but find myself recovering" . . . "I fancy you are not without a heart, but have only made an exchange, tho' not so noble, yet as sincere and constant, and to continue yours unalterably for ever. Sure you cannot think that I would dispose of my heart to one and give my person to another." (Had Simon been jealous of some rival?) "No—when you cease to love me, I will lay aside the thought of marrying, and when you cease to be, I shall despise life and wait with impatience the separation of soul and body. I am in great concern for the dangers you are like to be in. I pray God protect you, and bring you safe to this place again. It will be a deed of charity in you to let me hear from you when you can, for I must be uneasy whilst I expect you unsafe. Methinks I have a great deal to say to you, but am loth to tire you with so long a letter."

One hardly thinks that this style of love-letter would commend itself to the girl of the twentieth century, who is of a more practical turn of mind than her languishing sister of two hundred years ago. But Mistress Lucy, too, could be practical as well as sentimental. Simon had apparently confided to her a proposal for getting his brother, John, married. "I have taken into consideration," she replies,

"what you said to me about your desiring to marry your brother, and do think it is the only thing you have left to do, to ruin your own fortune past redemption. Therefore, pray defer those thoughts till we are so happy as to meet again, and then I will deliver my opinion to your more refined judgment, and give you my reasons against his marrying, which may be better done in a discourse than a letter." She concludes by assuring him that she will take "abundance of care" of his heart, "and will not suffer it to seek after a new love."

A letter, undated, written by her the day before Simon left London, is addressed to "My Honoured Lord." She does not know how she will bear his absence, when exposed to the "merciless seas and unrelenting foes." Nothing but "frequent hearing" from him will afford her consolation in her grief. She charges him not to be overcome with "malancoly," not that she can flatter herself that it proceeds entirely from his parting with her, though she would fain hope it is partly attributable to that cause. "Yet when I consider how much you have suffered by my sex, it's unreasonable to desire you to respect any of us."

Next day, Lovat was off to Harwich.

CHAPTER VIII

LORD LOVAT'S "malancoly" proceeded from a different source than that suggested so modestly by Lucy Jones. This is the first allusion to the fits of despondency from which he suffered for years. They increased in intensity and frequency, assuming in time a form of melancholia which his medical men were unable to diagnose. It is not customary to view Lovat in the light of a sentimentalist, but such he was, beyond doubt, though it was not the love of women that stirred his emotions most forcibly. He was not, after all, cast in the mould of the genuine adventurer. He was utterly unable to throw off trouble lightly, or to take good and bad fortune with equanimity. There never was a man who experienced such a variety of the ups and downs of life with so little of the philosopher in his mental equipment. He brooded over his troubles till they were magnified seven-fold, and threatened to overwhelm him. He thought himself the most ill-used mortal on God's earth. The persecutions he suffered at the hands of his enemies; the misfortunes which had befallen him through no fault of his own; the ingratitude of his friends, and the malice of his foes—such was the refrain of his plaint, which he inflicted upon his correspondents with the same satisfaction that a garrulous valetudinarian derives from describing his ailments to sympathetic listeners. Lovat was not the type of man who keeps a stiff upper lip when visited by trouble, and resolutely refuses to sap his energies by bemoaning unavailingly the irrevocable past. At the

root of his mental attitude lay his deep-seated vanity, which, it must be emphasized, was comprehended in the formula, "there is one clan (the Frasers) and Lord Lovat is its chief." Had he not been such an active man all his life, his melancholia would probably have developed a suicidal tendency, and the services of the executioner at Tower Hill would never have been required. Essentially a practical man, Lovat was nevertheless singularly lacking in the control of his mental processes.¹

The last letter from Lucy Jones, addressed to Captain John Campbell, Harwich, suggests that he had been contemplating some rash action. "For God's sake," she urges, "make no strange resolution or act anything that reason forbids." She had been ill, but her health was then better, yet she was extremely uneasy, "because I think my letters have disquieted you." She begs his pardon for anything in her letters that he may have disliked, and reminds him of the sacrifices she has had to make. "My soul," she writes, "has been upon the rack ever since Monday last when this report first broke out" (the nature of the report is not stated). "Have a mind," she goes on, "if you encourage me to cast off my fears, and live hoping that we may both survive our misfortunes." She anticipates, apparently, that Simon may "punish" her by his silence, and adds, "I don't know how I shall bear it, for I do and ever will respect you and continue your friend."

The concluding paragraph of her letter suggests that Lovat had made certain proposals to her (marriage?) which the lady rejected very neatly, consoling him for his disappointment by giving him a sermonette in her best "Bishop of Lincoln" manner.

"You say," she writes, "it is in my power to alter your

¹ When Lovat was in prison in France, he was ill of a complaint which his medical man stated was *grand chagrin*. The doctor recommended fresh air and exercise as a cure (Addl. MSS. 31252, f. 281).

fate. How joyfully, how willingly, how speedily would I change it for to make you happy. But though it is not in mine, yet it is in a Higher Power, who bids us ask and receive. To Him, therefore, I pray that you may be delivered out of your troubles. Adieu. Nothing is impossible, and faith overcometh all things.”¹

Certainly, Simon Fraser should have been a better man for his association with this lady. She did not, as might be supposed, give him his dismissal in her last letter. On the contrary, she was much concerned to have their correspondence continued. There was still hope that she might one day be Lady Lovat. But for the present, she was content to remain Lucy Jones.

It is unfortunate that we have only one side of this curious correspondence, for Simon's love-letters must have been masterpieces of their kind. The only letter from him in the collection (undated) was written after his arrival at Boulogne, and seeing it was composed when he was in a huffy mood, we are denied a glimpse of what must have been his inimitable love-style. Obviously, Mistress Lucy had wounded his feelings, and he meant to make her realize that she lay under the ban of his displeasure. He signs himself “Jean Campbell,” and the letter is addressed to “Mrs. Lucy Jones, to be left at Mr. Green's, a wood-monger, in Milbank, Westminster, London,” “My dear L,” he writes, “I could not forbear to give you my most sincere respects, and let you know that I am yet alive and safe here. This, perhaps, will be indifferent news to you. However, I can assure you that nobody has a greater veneration for you than your most humble and affectionate servant. My service to Mrs. Anne” (Lucy's sister apparently). “If you will give yourself the trouble to write to me, direct to . . .”² Simon had his revenge in

¹ Addl. MSS. 31251 (Letters from Lucy Jones).

² Addl. MSS. 31251. This letter is presumably a copy. Lovat was most careful in drafting and keeping copies of his letters.

the employment of the word "veneration." One adores one's sweetheart; one "venerates" one's grandmother.

Lovat lingered at Harwich—he stayed at the White Horse—for some time before embarking for Holland. There were special reasons for the delay. Certain financial arrangements had to be made with John Corbusier, his man of business in London, and his friends there were working for him in other directions. There was a question of an embargo upon the Dutch packet. A friend of his, "K.M." (Kenneth Mackenzie, a relative of the Earl of Seaforth?), inquired on his behalf concerning this difficulty, at the office of the Secretary of State, and was told that no pass was required, "provided I could pass the privateers . . ." "Most of the Scots nobility," writes the same correspondent, "are marched homewards. I hear that my Lord Tullibardine is impowered to prosecute and apprehend the Grand Fornicator of the Aird, Vickimmie."¹ The allusion was pretty safe, even if the letter fell into the wrong hands, for no one in the Intelligence Department of the Government was likely to know that "*Vickimmie*" meant *MacShimi*; that *MacShimi* meant the chief of the Frasers; or that the chief of the Frasers was "Captain John Campbell," to whom the letter was addressed. The information thus conveyed was a hint and a warning, but, as already suggested, Lovat may have known what was coming, and made his preparations for flight before the storm burst.²

Another friend, Alexander Houstoun (who was probably a son of the minister of Stratherrick), seems to have acted as Simon's secretary, and wrote him to Harwich about some negotiations then proceeding on his behalf. Houstoun had complained to Lovat before he left London of being rather shabbily treated by him. He was hard up;

¹ Addl. MSS. 31251.

² Lovat stated at his trial that a reward of £2000 was offered for his apprehension (Report of Trial, p. 183).

could not pay his rent (he lived in Cockpit Court, Dean Street), and threatened to part with some obligation of Simon's to save his family from ruin. "If your Lordship pleases, you shall have it upon very reasonable terms." He had performed some valuable services for Lovat in Scotland, for which he seems to have thought that he had not been adequately rewarded. Probably Simon was as impecunious as Houston himself, and, equally with him, had been made to realize that "promises and performances are often different things." But they must have parted on good terms, for we find Houston endeavouring to reach Lord Godolphin, then Lord High Treasurer, in Lovat's interest, at the time the latter was waiting at Harwich. As usual, Lovat worked through the Campbells, the negotiators being one Peter Campbell, and Lord Lorne—not, it is to be observed, Lorne's father, the Duke of Argyll. Houston had waited upon Peter Campbell, and delivered some letters with "a short account of your career." It appears that Lorne was "in a manner a stranger to Godolphin," but seemed to be willing to interest himself on Lovat's behalf. Houston was to send Lorne's answer by next post, but there is no record of the result.¹ The attempt to help Simon was fruitless; at any rate, he was compelled to continue his journey. It is noteworthy that, far from setting out from Scotland upon his expedition to France "with extreme alacrity," and simply "passing through" England and Holland, as Lovat himself asserts, he left England with extreme reluctance. He fled from London in May, 1702, and, according to his own statement "arrived at Paris with this important commission about the month of September, 1702."² But this must be wrong, for there is a letter addressed to him at St. Germain, dated July 16, 1702; and Sir John Maclean confirms that he came

¹ Addl. MSS. 31251.

² Memoirs, p. 119.

to France during that month.¹ Owing to the war having just broken out, the way to France by Holland and Flanders was the only one open, and the delays entailed by this circuitous route must in any case have been tedious. The only information we have about his adventures is that, "after several imminent dangers in Holland and in Flanders, too long to be here recounted," he reached his journey's end at the time stated. There is a hint of some of these dangers in a letter to Lovat from one Ramsay, a Scots spy in the service of France, who, with his two children, left Holland a few days after Simon, passing himself off as an Italian merchant. It appears that Lovat had been "particularly noticed" at the Hague, and information given concerning him to the English Resident (Stanhope) "with particulars which surprised me." It was only his flight from the Hague "that night" that secured his safety. Ramsay's letter was addressed to St. Germain, and Lovat was asked to send his reply by Father Maxwell, one of the Scottish priests who were such useful Jacobite agents at that period.²

That Lovat had communicated to trusty Jacobites in London his intention of going to St. Germain, is shown by the fact that he was charged with a message by one "Frances Hunter" to "Good Lady Mary," by whom was probably meant the Duke of Perth's wife, whose maiden name was Lady Mary Gordon. A son of this Frances Hunter, bound for France (Douay?), was placed under Lovat's care, and Simon discharged his trust so faithfully that, according to Ramsay's testimony, "little Hunter was dull a day or two after you, by reason of your absence." The boy's mother was very thankful to have the opportunity of sending him to France in such excellent guardianship. She congratulates herself on her "extraordinary good fortune" that the "poore child"

¹ Sir John Maclean's "Discovery" (Scottish Conspiracy).

² Addl. MSS. 31251.

should happen to be in such good company as Lovat's. She hopes to hear soon that he (Lovat) has safely reached his journey's end, and "that all may prove according to your wish, and then I may soon see you with the olive branch, which God send." She asks Simon to divert Lady Mary "with some passages of my life of late," and she concludes by begging him to "excus all foltes."¹

It is difficult to say whether or not Lovat was in possession of accurate information, when he left England, about the state of affairs existing at the Court of St. Germain. He would have us believe that he was not, and that his innocence was taken advantage of by the Duke of Perth and Sir John Maclean, in order to further their own ends.² Whether this is correct or not, it is certain that a man like Lovat could not have been long at St. Germain without penetrating the thin veil that divided the courtiers into two hostile parties, one headed by the Earl of Middleton, the Secretary of State, and the other by the Duke of Perth, the Governor of the young King, who was now a boy of fourteen.

Middleton, "one of the pleasantest companions in the world,"³ was also one of the astutest of statesmen. Moderation was the keynote of his policy; and intrigue was the weapon of his choice. He was good-tempered, affable, and patient: a man who could wait, and by waiting could win. But the smiling face could look stern, and the soft hand could strike hard when an enemy crossing his path had to be brushed aside.

The Duke of Perth was a man of a different temperament. He was an extremist alike in religion and politics, yet withal "tells a story very prettily."⁴ He was proud and passionate; a faithful friend and a dangerous enemy; and a Stuart partisan who, whatever his faults, never swerved from his devotion to that family. Such a man

¹ Addl. MSS. 31251.

² *Memoirs*, pp. 122, 123.

³ Macky, p. 137.

⁴ *Id.*, p. 138.

was not likely to see eye-to-eye with Middleton, and the difference in their view-points was accentuated by personal reasons; for Middleton became sole Secretary when his colleague, the Earl of Melfort, Perth's brother, was dismissed in disgrace in 1694, for serving Louis XIV. rather than James II., and for communicating State secrets to English correspondents. His disgrace was completed by his banishment in 1701 to Angers by the French King, as the result of an imprudent letter which fell into the hands of the English Government. Perth, the quondam Chancellor of Scotland, was soon made to realize that the Drummond interest was no longer all-powerful at St. Germain. Being jealous of Middleton, he tried to thwart his measures; and his rival was not slow to retaliate. The struggle between the two men for supremacy in the Council of Mary Beatrice of Modena, the widow of James II., was long and bitter, and was indirectly responsible for much of the failure that attended the Jacobite efforts both in France and Great Britain. The other members of the Council at St. Germain were the Duke of Berwick, the natural son of James II., and Lord Caryll, who was Middleton's (unpaid) colleague, or Under-Secretary.¹

Lovat's cousin, Sir John Maclean, belonged to the Perth faction. Middleton appears to have offended him by giving to another a Court post which he had promised to Maclean. Sir John was the chief of the Macleans of Duart (Mull), a clan of superlatively doughty fighters who were ever ready for a "ploy." The Argylls, the Great Acquisitors, had bought up the debts incurred by Maclean's ancestors and pressed for payment during his minority. For a time his guardians, Maclean of Brolas and Maclean of Torloisk, managed to evade the demand, first by diplomacy and then by force. Eventually the Campbells took possession of Mull, and young Maclean

¹ Sir John Maclean's "Discovery" (Scottish Conspiracy).

was compelled to relinquish his patrimony. He went on his travels, visiting England and France, and in due time became almost inevitably a partisan of James II. after the Revolution. He fought at the siege of Derry, and at the age of nineteen commanded his clansmen on Dundee's right at Killiecrankie. He reached St. Germain in 1693, bringing with him £1000, presumably subscribed for the Cause by Scottish Jacobites.

He was a cheery, good-natured man, who dearly loved a joke. Though physically brave, like all the Highland chiefs, he proved weak as water in a great moral crisis which he was fated to face. He was married to Mary, a daughter of Sir Æneas Macpherson of Invereshie, a woman of greater strength of character than her husband, over whom, in consequence, she wielded considerable influence.

Another Maclean will meet us in dealing with Lovat's career in France. This was Sir John's cousin, Sir Alexander of Otter, a son of the Bishop of Argyll. Sir Alexander fought at Derry, and at Killiecrankie. He bore the brunt of the fighting against the Cameronians at Dunkeld, where he was wounded, his leg being smashed by a musket ball. After the Jacobite resistance in Scotland had been finally overcome, he found his way to France. "Though a man of excellent parts," says a contemporary (Hooke), he was "very slippery and not to be rely'd on." He entered the French service as a means of livelihood, but was a constant visitor at St. Germain when not engaged in his military duties.¹

¹ Macpherson's *Original Papers*, vol. i., in which a good deal of information is given about the early career of the two Macleans. The operations in which they were engaged during and immediately after Dundee's campaign are described, pp. 352-376. Sir Alexander appears to have replaced his broken leg with a wooden one; whence the name of "Stump," by which he called himself when writing to Marshal Villars. Sir John and Sir Alexander were known as "Castor and Pollux." "Pollux" fought a duel with the man who afterwards became the father-in-law of "Castor." Sir Æneas Macpherson was the author of "The Loyall Dissuasive," a learned discussion on genealogy, which Sir John supplemented with his "Remarks" (Scott. Hist. Soc., vol. 41).

Mary of Modena and the boy of her hopes (and her fears) present pathetic figures in the midst of the factious intrigues by which they were surrounded. The pensioner of Louis XIV., Mary Beatrice found her income insufficient to meet the demands made upon it by her needy adherents; and the want of harmony among them was as distressing to her feelings as their divided counsels were disastrous to her cause. The King of France had behaved with magnificent generosity alike to her husband and to herself. By affording them a safe asylum in his kingdom, and providing them with the means of maintaining a semblance of royalty, he had given an example of true hospitality. By his immediate recognition of the claims of the young prince on the death of his father, he had offered a further proof of the pity he felt for the forlorn condition of his guests. There were, of course, political considerations which played a part in his generous actions; but it must be remembered that if the Stuarts were politically useful to Louis, they were also a source of embarrassment to France.

Such were the "drumly" waters into which Simon Fraser had now taken a plunge.

CHAPTER IX

IT was only to be expected that Lovat should place himself under the guidance of his cousin, Sir John Maclean, who had nine years' experience of St. Germain behind him. Moreover, Perth was an old acquaintance of Simon's ; and he had been in communication with some of the Duke's relatives in Scotland ; among them, his eldest son, Lord Drummond. He was thus committed in a sense to the Perth faction from the start, and was consequently placed in opposition to Middleton, who at first ignored him, or, as Simon puts it, was unaware of his identity.¹

It did not take Lovat long to arrive at the conclusion that, if he was to make his fortune, the sooner he took the road to Versailles the better. But Versailles was unapproachable without proper credentials endorsed by St. Germain. First of all, therefore, he had to reach the Queen-Regent and lay his plans before her, and for this service the good offices of Sir John Maclean and Lord Perth were available. But before he could hope to make real progress, either with the pious but bigoted Mary Beatrice, or with His Most Christian Majesty, it was necessary that he should recommend himself to them by a re-examination of his religious faith, especially in view of the character that he bore for gross immorality.

To attempt an analysis of the motives that induce men to change their religion, is to undertake a task which, to say the least, should be approached with the greatest

¹ Memoirs, p. 125.

diffidence. But when material advantages plainly accrue from the change, the concurrence of events must necessarily suggest a suspicion of the sincerity of the conversion. Lovat's new patron, Lord Perth, was a type of convert concerning whom this suspicion was widely held in Scotland. In his younger days a zealous Presbyterian, he became a still more zealous Episcopalian when he came to the Court of Charles II. ; and when James II. snatched him and his brother Melfort as brands from the burning, the new Chancellor of Scotland developed into an ardent Roman Catholic and a violent supporter of arbitrary government. He was, says the candid Macky, "a thorough Bigot and hath been so in each religion while he professed it."¹ When his brother, Melfort, was disgraced in 1694, his royal master, more in sorrow than in anger, charged him with hypocrisy in having professed, years before, his conversion to Romanism. Middleton, the opponent of the Drummonds, had a poor opinion of converts. "A new light," he used to say, "never comes into the house but by a crack in the tiling";² an unfortunate remark on the part of a man in whose own "tiling" a big "crack" was soon to appear.

During the lifetime of James II. Middleton was at the head of the Jacobite "compounders," or those who insisted upon receiving security from the King that upon his restoration the religion and liberties of England should be preserved ; while the "non-compounders," or those who were willing to agree to an unconditional restoration, were headed by Melfort. The latter was a bigoted Catholic, and Middleton was a—what? Certainly he was not an orthodox Protestant. When it was suggested to him by an earnest proselytizer that it was surely as easy for him to believe in the Real Presence as in the Trinity, he disposed of that argument by asking, "Pray, sir, who told

¹ Macky, p. 137, 138.

² *Id.*, 137.

you that I believe in the Trinity"?¹ James, who trusted him and tried hard to make a Catholic of him, had to give him up. Yet this careless freethinker "found salvation" soon after the death of his master, and in such a manner as to afford legitimate ground for the sneers of the scoffer. He declared that James appeared to him in a vision, and told him that by his prayers he had secured his salvation. The vision had such an effect upon him (there is an element of the miraculous in Lovat's version of it)² that immediately he publicly embraced Roman Catholicism, and resigned his post in order to enter a Benedictine convent in Paris, there to receive instruction in the Catholic religion. He professed a desire to retire permanently from politics;³ but Mary Beatrice, delighted by his conversion to the faith which lay so near her heart (the first joy she had had since her husband's death, she said),⁴ refused her assent. When he resumed the seals, his influence over the Queen became unbounded.

In his Memoirs, Lovat ascribes Middleton's conversion (which he flouts as insincere) to a move on the part of that statesman to checkmate his (Lovat's) plans and bring over the Queen to his own views.⁵

The date of Middleton's announcement of his conversion (whether genuine or not) was August, 1702,⁶ the month after Lovat's arrival in France. It is not inconceivable that the two events formed links in the same chain of circumstances; for Middleton's policy and Fraser's

¹ Memoirs of Thomas Earl of Ailesbury, vol. i. p. 226.

² Memoirs, pp. 129, 130. Sir David Nairne (a "Middleton" man) attributes Middleton's conversion to the effect of the dying words of James II. (Macpherson, Original Papers, vol. i. pp. 594, 595).

³ Addl. MSS. 32707 (Letter from Middleton to Queen Mary).

⁴ Stuart Papers (Roxburghe Club), vol. i. p. 100. The Queen, writing on August 21, alluded to the conversion as "*ce miracle*," the greatest they had seen in their day. She attributed this "miracle" to the intercession of her late husband.

⁵ Memoirs, p. 129.

⁶ Stuart Papers (Roxburghe Club), vol. i. p. 100.

plans were wholly antagonistic, and the success of the one meant the failure of the other.

"To ascribe his (Middleton's) conversion to love of power would be absurd," say the authors of a recent notable book.¹ It would be equally absurd to assert the contrary. Not even "his great estates in England" (they were forfeited, by the way) would have compensated him for the loss of power, had power rather than ease been his *summum bonum*. While in his penitent mood, he assured Mary of Modena that he desired to abandon "all for the only thing necessary," because "an old habitual grievous offender (himself) ought to dedicate the short uncertain part of his life to do penance." He sought to show, by reasons which are not altogether convincing, that he would be doing a disservice to the King (James) by remaining in office, and that it would be better for all concerned that he should spend the remainder of his life in a retreat.² But his zeal for a monastic career quickly evaporated when he touched afresh the seals of office; and he made the discovery that the King could be very well served after all, by a man about whose person clung "the first odour of a conversion" to the Roman Catholic religion "so abominable to the English."³ The rest of his career showed no decided religious impulse, though he remained faithful to his adopted creed.

Simon Fraser's adoption of the same faith was not the result either of a vision or a miracle. Here was a religion, the profession of which would manifestly be of very great advantage to him. Were its merits, therefore, not worth

¹ The King over the water, p. 57. Mr. Lang is a whole-hearted admirer of Middleton, and a believer, obviously, in his sincerity. But it is only right that Middleton (like Lovat) should be judged by his actions. Saint-Simon was of opinion that Middleton's object was to regain the Queen's confidence. Oldmixon makes the absurd suggestion that his object was to regain £100 a year of which Versailles had deprived him.

² Addl. MSS. 32707 (Letter from Middleton to Queen Mary).

³ *Id.*

looking into? Clearly, yes. If conviction followed examination, and conversion followed conviction, why, then, the accruing results would be excellent. His conversion would win Queen Mary, checkmate Middleton, open the way for material advantages to Versailles, and for spiritual favours to Heaven. Such, probably, were the considerations that presented themselves to Simon's practical mind, as the following circumstances would appear to suggest.

We find Brother B. McLoughlan (evidently an Irish religious) addressing him on September 3, 1702, as "My dear soule," and suggesting that he procure a "passport," which will lead him to "eternal happiness." And there is a further letter, dated September 10, from the same friar, showing that Simon had informed him that he was fully persuaded of the truth of the Roman Catholic religion, but was loth to change the persuasion he was born and bred in, "being not as yet convinced but by leading a moral life you may work your salvation therein." This letter (written on seven foolscap pages, with marginal authorities, and many Latin quotations from the Scriptures and the Fathers) recommends Lovat to retire to some "colledge or convent," there to examine his spiritual condition. He cannot hope to find salvation in "that new-found Kirk which was not knowne in ye Kingdome of Scotland, nor elsewhere, when your family was first acknowledged noblemen and the more noble by being then Roman Catholicks." The privileges and duties associated with his reception into the "Catholick Apostolic Roman Church" are carefully detailed for Simon's earnest consideration. "If," adds the honest friar, "any difficulty hinders your timely conversion, you may soon find several more learned men than I am, and that in all sort of science, especially that of controversie, which hitherto I never made my particular study."¹

¹ Addl. MSS. 31251 (Letters from Br. McLoughlan).

There is nothing to show that Lovat followed the friar's advice and retired to a convent, but that he abjured the Protestant faith and became a Roman Catholic is proved by his own letters, among them one to the Pope. In this letter, he presents himself at the feet of the Sovereign Pontiff, laments the errors of the "heresy" in which he was born, and assures him of his entire submission to his will, and of his determination to persevere in his devotion to the Church "*à l'effusion de mon sang.*" He acknowledges his indebtedness to the Papal Nuncio for the change in his views, and hopes that under the protection of the Holy Father and the King of France, the good work of the Nuncio (in effecting his conversion) will bear fruit in the re-establishment of the King (James) and the Catholic religion in Britain. He winds up with a characteristically pompous flourish: "With this object, I go to hazard my life and my family."¹

This letter has no date, but the Pope's acknowledgment is dated Rome, July 22, 1703;² that is, about the time, as we shall see, that Lovat was setting out for Scotland upon an important political mission.

The Papal Nuncio, to whom allusion is made in Simon's letter, was the celebrated Gualterio (not yet a Cardinal), who proved one of Lovat's staunchest friends. "This great man," remarks Simon in his Memoirs, "left to the preacher and the confessor the business of converting souls," his domain being the affairs of State.³ "He never spoke a word to him (Lovat) on the subject of religion," knowing that he was a Protestant!⁴

Gualterio was an able statesman, who successfully maintained the most cordial relations between Versailles

¹ Addl. MSS. 31251 (Draft letter from Lovat to the Pope). Elsewhere, Simon attributes his conversion to the arguments of the Bishop of Meaux and Father Mabillon, a Benedictine (Addl. MSS. 31252).

² Addl. MSS. 31251 (Letter from the Pope to Lovat).

³ Memoirs, p. 267.

⁴ *Id.*, p. 266.

and the Vatican. His policy received strong backing from the Marquis de Torcy, the Secretary of State for Foreign Affairs of Louis XIV., and the son of the great Colbert, who, himself, is said to have been a descendant of the Cuthberts of Castlehill, Inverness. Torcy, who was renowned throughout Europe for his astuteness, took Lovat up, apparently on Gualterio's recommendation, and became the main channel through which Simon ultimately reached His Most Christian Majesty.

Lovat lived in an age when principles were bartered like stocks and shares to the highest bidder. It was an age in which religion was not a thing to die for, but a thing to make a living by. It was an age in which men's consciences were as elastic as their politics; and their politics were as changeable as their wigs. The names Whig and Tory, said that stout patriot, Andrew Fletcher of Saltoun, an honest Radical before his time, "are only used to cloak the knavery of both parties."¹ Accommodating political adventurers are by no means an extinct tribe; but, nowadays, the principles of politicians are immutable; it is only their opponents who change. Simon Fraser never concealed from his intimate friends the mainspring of his political actions; he was out to look after himself. If he performed work, he exacted payment; if he changed sides, it was for the same reason that a clerk changes his situation—to "better himself." And if he included a change of religion in his scheme of self-advancement, he was only following the example of men who bore a reputation for honour that he never enjoyed. It may, at least, be said for him that at the crisis in a man's life when his genuine religious convictions (if he has any at all) are revealed, Lovat desired and received the last consolations of the religion which he adopted in France. But it is a relief to turn from the sordid crowd of traffickers in principles to the noble figure of the

¹ Macky, p. 130.

Chevalier de St. George himself, who, at length, has had justice done to his character by capable pens.¹ There he stands, a sad but kingly figure, misunderstood during his lifetime, misrepresented after his death. Yet he is the prince who had the crown of Great Britain within his grasp, had he been willing to make merchandise of his religious faith.

¹ "The King over the water."

CHAPTER X

FOR some good reason, Lovat seems for a time to have kept his whereabouts a secret, except from his intimates, and to have called himself by the name of Donald Campbell. He was known to his Highland friends at St. Germain as "Donald *Don*," a free translation of which is "unhappy Donald"—not an inapt name for a man who was always bewailing his troubles. The letters from Sir John Maclean to "*Dole Don*" are chiefly remarkable for the inventiveness of the writer in his selection of titles for his correspondent: "The most potent and mighty Prince, *Dole Don*, in the house where hatts and feathers are bedewed with *gardez l'eau*" (an echo of old Edinburgh). And, again, in allusion to Lovat's mission from the Highlands: "*Dole Don*, Ambassadour Extraordinaire of the divilish cantons," which does not sound very complimentary to the native country of both. Elsewhere, Lovat is addressed by Maclean as the Earl of Invernesse, Sheriff-Principal of the shire" (coming events casting their shadows before), and in another letter, Maclean himself is alluded to as the "Earl of Mull." The address, "For Scots Donald (who) brake the Englishman's heade" is an allusion to Lovat by Maclean, the meaning of which is unexplained. Several of these addresses, some of them fairly lengthy, are written in Gaelic, the employment of that language by the Highlanders at St. Germain being a safeguard of obvious utility.¹

¹ Addl. MSS. 31251 (Letters from Sir John Maclean). The Earl of Nottingham was nicknamed "Don Diego" and "Don Dismal" owing to his lugubriousness. Possibly, in Lovat's case, the term "Don" may have a Spanish rather than a Gaelic allusiveness!

Politically, the Court of Mary of Modena was divided into two main parties, "English" and "Scottish," these names signifying the lines of policy followed by the two sets of adherents. The "English" party, headed by Middleton (himself a Scot), placed their trust in Providence, Godolphin, and Marlborough—especially in Marlborough. They held that all schemes for the restoration of the exiled family were chimerical and useless, until the death of Queen Anne should pave the bloodless way to a throne prepared for the reception of James III. by his secret friends in England. The "Scottish" party, headed by Perth, favoured a bolder policy. They advocated a rising in Scotland, to be assisted by France with men, and money, and arms. They placed more faith in Highland broadswords than in English promises. Queen Anne might live to a good old age; they themselves were weary of exile and tired of poverty: and, above all, there was no guarantee that their rivals were resting their hopes upon a sound basis. They were right: the structure of the Middletonian faith was a house of sand, which in due time was swept away by the rising tide of the German Ocean. The interests of France were bound up with the policy of the Scottish party. Indeed, the immediate aims of Louis would be sufficiently well served by placing James on the thrones of Scotland and Ireland as his subservient ally; and no better method could be devised for striking a blow at England when occasion called for it.

It requires no effort of the imagination to realize the extraordinarily trying position in which Mary of Modena was placed under such circumstances. She was a simple, pious woman, whose grasp of political business was by no means feeble, but whose nature was opposed to chicanery and intrigue. Her chief difficulty lay in discriminating between her real and her nominal friends; those who were working in her interests, and those who were working in their own. She had strong faith in the disinterestedness



MARY OF MODENA.

[To face p. 86.]

both of Middleton and Perth, though their policies were diametrically opposed. She was the pensioner of Louis, and dared not offend him; and under no circumstances would she lay herself open to the charge of ingratitude. Her difficulties did not end here. She had to compose the jealousies, heal the quarrels, assuage the disappointments, and pay the salaries of needy courtiers, who were not always ready to make allowances for the sea of troubles by which she was surrounded.

Her Court was rich in everything except in money. It included some of the most intellectual men and the most beautiful women who, in happier days, had exercised unchallenged supremacy in London society. Middleton and Perth, experienced statesmen, were also men of letters. The Carylls, uncle and nephew, were a distinguished couple; the elder, a man of fine literary talent, and the younger, a poet and dramatist, who was on terms of intimate friendship with Pope and Dryden. There, too, was Anthony Hamilton, from whose graceful pen issued the *Memoirs of Count Grammont*; and for whom the amiable Duke of Berwick bore a sincere and steadfast friendship. And when their duties permitted, there also came the Dillons, the MacMahons, the Murrays, the Nugents, the Bulkeleys, and others, who had offered their swords to France for the bread which their lawful King was unable to provide.¹

The women of the Court were still more notable. The Duchess of Tyrconnel ("the fair Jennings" of Grammont's *Memoirs*), the widow of Sir George Hamilton, never acquired an ascendancy over Queen Mary such as that obtained by her sister, the clever Sarah, Duchess of Marlborough, over Queen Anne. Her rivals in beauty were

¹ In one of his letters (1705), written when he was in prison, Lovat alludes contemptuously to those who for sixteen years had deceived St. Germain, and who had no other *métier* than to flatter the Queen "*pour leur pain*" (Addl. MSS. 31252, ff. 282, 283).

Lady Melfort and the Countess of Errol ; and a link with the Court of Charles II. was provided by Lady Sophia Bulkeley, sister of the celebrated Miss Stuart who fascinated the susceptible King by her beauty, and tormented him by her coquetry, ultimately throwing him over for an honourable marriage with the Duke of Richmond. Lady Sophia's daughter, Anne—the fair “Nanette”—was the second wife of the Duke of Berwick, and the sister of Henrietta Bulkeley, the admired of Anthony Hamilton of the *Memoirs*. Their marriage was prevented by a common poverty. Had Hamilton lived at the present day, he could have set up housekeeping on the proceeds of his novels.

Amid this brilliant group, the Queen moved with a mind set upon two main objects : the future condition of her son, and the present state of her soul. Her devotional exercises in the convent of St. Marie de Chaillot were frequent and rigorous. She believed in her religion with all her might, and the sincerity of her convictions, misguided into a channel of intolerance, resulted in an occasional antagonism between the tender sympathy of the gentle woman and the fierce zeal of the religious bigot. This was the Queen whose favour Simon Fraser had to win before he could hope to make any substantial progress with his scheme.

Sir John Maclean entered with enthusiasm into Lovat's plans, and in conjunction with Perth, managed to bring Simon and Mary Beatrice face to face. These Scottish exiles of high degree had to live very economically, and so we find Maclean deprecating the expense of a “black suit” to wait upon the Queen, as being altogether unnecessary. Ceremony that involved expense had to be dispensed with at St. Germain, where money was so scarce. Sir John, who wrote some of his letters in taverns, and was not on the Chevalier's special list for supper parties, had himself been forced to realize the bitterness of the

man who is down on his luck, and probably his cousin, Lovat, was not a whit better off. The career of both men would probably have taken a different shape had their circumstances been easier.

The ardour of Maclean's professions of friendship for Fraser gives warmth and colour to his correspondence. He signs himself, "Yours and your heirs for ever"; "Your own, *In secula, seculorum. Amen*"; "My Deare, I am yours, and yours I will be to all eternity or may God confound me." In one instance he signs himself *Mackgileon More ni Halbin* (the great Maclean of Scotland), and adopting the royal style suggested by that title, adds "Given at our Court at the burning of a ffagot this tenth year of our banishment, 1703." Simon is his *Vic mo Chri* (son of my heart), and Simon's business "is myne as much as my own, or devil runne away with the Castle of Dowart." In four languages (the Gaelic orthography is shaky) he professed his eternal friendship for Lovat, and it is quite likely that at the time he was perfectly sincere.¹ "The junction of two such families," wrote Sir Alexander Maclean to Lovat, "and in fine, your inseparable friendship with my cheefe and dearest of men . . . will make your interest and your person as dear to me as his or my own."² Yet in a few months afterwards, Sir John Maclean proved himself a false friend to Simon Fraser.

There are two allusions in Sir John's correspondence with Lovat which are puzzling. In one of his letters, written apparently about October, 1702, and addressed to *Dole Don*, he says, "The good wife (Lady Maclean) longs for your return *and so does your wife*." It is to be observed that Simon at that time lodged with Sir John. In another letter (date uncertain) addressed to *Mackimie*, he writes: "*Your wife* was decamped to her former lodging with fire

¹ Addl. MSS. 31251 (Letters from Sir John Maclean).

² *Id.* (Letters from Sir Alexander Maclean);

and sword before I came from Paris.”¹ Who was this wife? Apparently she had a legal right to the title, and if so, when did Lovat marry her? He is known to have been married three times. His first recorded marriage has already been described; his second took place in 1716; and his third in 1733. Was there a fourth, of which hitherto there has been no record? And was the lady Lucy Jones? The Paris wife cannot have been the dowager, for in the circumstances that hypothesis is untenable. Whoever she was—if she was really his wife—she does not seem to have lived with Lovat long. Whether she left him or died, it is impossible to say. The whole evidence of her very existence rests upon the two allusions quoted.

Lady Maclean figures in her husband’s letters as an excellent wife, which she doubtless was. She was a prominent figure in the Scottish set at Court. “Give my respects to my Lady Maclean,” writes Lord John Drummond to her husband. “I’m sorry she did not come here yesterday, since that all the waters were playing, and the garden full of good companie, but yours and hers being wanting, the feste was not compleat.”² We find the cheery Sir John striving to keep up Lovat’s courage as well as his own, when things were not going well with their affairs.

“Be not impatient, my deare,” he writes to Simon, “we’ll ding the devil out of them or they shall doe for us. We’ll stick to one another and force them to doe us justice.” In another letter he says: “For God’s sake, my deare, take care of your health, for that is above all. Let not shagrin disturb you. A firmness of soul must overcome all difficulties.” Occasionally, “firmness of soul” seemed to desert himself when his finances were getting into a desperate state; for part of his annual allowance of 900 livres was overdue. “The Queen,” he

¹ Addl. MSS. 31252 (Letters from Sir John Maclean).

² *Id.* (Letters from Lord John Drummond).

tells Lovat, "is in a milder humour since her return from Marly. P. (Perth) spoke to her of my businesse. She said, as he told me, the kindest things imaginable of me and familie; that she would be in despair to doe anything would make me discontent; that, therefore, she would examine her affaires to see what condition they are in, and that at her return from Chaillot, she would give him ane answer. What will become of it, God knows, for I have mett with disappointments enough not to hope for anything."¹ This extract throws a sidelight upon Maclean's behaviour soon afterwards. He was "weary of his hardships" at St. Germain, and was glad to see the last of it. He tried once before (in 1698) with the consent, he says, of James II., to make his peace with the British Government, but was snubbed by the Ambassador in Paris.²

Meanwhile, Lovat had no reason to complain of the progress he was making. He and Sir John Maclean had "fixt" the Queen and Perth to their proposals, and all was secured to their satisfaction, "which is the main jobb." By his cleverness in managing affairs, he enlisted the interest, not only of Mary of Modena, but of Gualterio, Torcy, the Marquis de Callières (a friend of Perth and Louis's Secretary of the Cabinet), Cardinal de Noailles, and—a most important ally—Madame de Maintenon,³ who frequently visited Mary Beatrice. With this powerful backing, it was only a question of time for him to succeed in obtaining admittance to the august presence of Louis

¹ Addl. MSS. 31251 (Letters from Sir John Maclean).

² McCormick, Carstares, pp. 374, 375.

³ Memoirs, p. 132. A draft letter from Lovat to Louis expresses his sense of the overwhelming honour done to him (Lovat) by the King's consent to an interview. The opportunity afforded full scope for Simon's gift of fulsome flattery: "the greatest man in the universe," he calls Louis. Also, he took advantage of the opportunity to dwell upon the iniquitous treatment of Scotland by England, and to emphasize the community of interests between France and Scotland: "*les Ecossois aiment les François toujours, et baissent beaucoup les Anglois*" (Addl. MSS. 31250, f. 12).

the Magnificent himself. The King did him the signal honour of receiving him at a private interview. It is stated by a contemporary that Lovat had prepared a pompous harangue for the edification of His Most Christian Majesty, but losing his nerve, forgot every word of the set speech; whereupon, he summoned his native readiness to his aid and charmed the King by an extempore address, full of wit and wisdom.¹ It is difficult to imagine Lovat's audacity being stifled by any atmosphere, however oppressive by its grandeur, but there can be no doubt that, whatever took place at the interview, the impression he left upon Louis was decidedly favourable. "I hope," wrote Sir Alexander Maclean to Lovat, "that your discourse with the G(rand) Mon(arque) will establish not onlie his good opinion of yourself but of all your Highland freindies."² The opinion formed by Lovat's Jacobite friends at St. Germain of his qualifications for ingratiating himself with Louis, is stated by David Lindsay, Middleton's secretary, who himself had never met Simon. "He had wit, a good genteel behaviour," and was "very insinuating."³ Which accounts for much of his success with men and women alike.

¹ An Account of the Pedigree and Actions of Simon Fraser, Lord Lovat, p. 10.

² Addl. MSS. 31251 (Letters from Sir Alexander Maclean).

³ Lindsay's evidence before the House of Lords' Committee (Scottish Conspiracy).

CHAPTER XI

WHAT were Lovat's proposals to Louis and Mary of Modena? He professed, in the first place, to be the accredited agent of some of the most influential Highland chiefs, particularly of Sir Ewen Cameron of Lochiel, Sir Donald Macdonald of Sleat, and Robert Stewart of Appin, all of whom assured him that, if assisted by France with money, arms, and troops, they would bring 10,000 men into the field. He prepared a list of Jacobite chiefs (some of whom, he admitted to Sir John Maclean, he had not interviewed) with the fighting strength of their clans, which he greatly exaggerated, declaring, in reply to Sir John's remonstrances, that it was necessary to make a good show in order to induce Louis to consider the scheme. According to David Lindsay, Lovat put the number of Highlanders who could be placed in the field at 16,000 men, whereupon Middleton replied that to his knowledge, the whole of the Highlands were not able to bring out half that number; which was not true. But in any case, added Middleton, it was unreasonable to have anything to do with a man like Lovat.¹

The Highlands being ready to rise, it lay with France to play her part. Five thousand French troops were to embark at Dunkirk and land near Dundee, joining hands with the Highlanders at an agreed rendezvous. Simultaneously, 500 men were to sail from Brest to the west

¹ Sir John Maclean's "Discovery" and Lindsay's evidence (Scottish Conspiracy).

coast and seize Fort William. The rest would be easy. The money required for the expedition would be 100,000 crowns, and arms for 20,000 men would have to be supplied.¹

The scheme looked attractive to Louis and his Ministers, and in principle it received their assent. The Duke of Berwick discussed with Lovat and Sir Alexander Maclean many military details, and Marshal de Vauban showed Lovat how Fort William could be scaled by means of folding ladders.² Villars, the popular and lucky Marshal of France, was also interested in the project. In a letter to Villars, dated March 1, 1703, from Sir Alexander Maclean—"your own unalterable Stump," he calls himself—the writer comments upon the attitude of Middleton, averring that though "backward in the beginning," lest his "approbation of the affair might not appear a palpable contradiction" of his former views, he was likely to push it with all his might once he got the credit for it.³

The negotiations had been kept from Middleton's knowledge as long as possible, Lovat fearing that his opposition would ruin the scheme. When, by means of

¹ Sir John Maclean's "Discovery" (Scottish Conspiracy). There is in existence (Addl. MSS. 31250, f. 3) a draft of Lovat's suggestions for the assistance required to wage "a vigorous warr." *Men*: Six or seven thousand, including six hundred horsemen and twelve hundred dragoons. *Arms*: Eighteen thousand stands—"firelocks with bagonets, and not muskets." *Ammunition*: Sufficient for an army of thirty thousand men, with the necessary artillery, etc., for three garrisons. *Money*: Forty or fifty thousand pounds. *Accoutrements*: For a thousand horse and two thousand dragoons. There are also draft memorials to Torcy (prepared apparently in conjunction with the two Macleans), in which the importance of capturing Fort William is dwelt upon. Two thousand Highlanders, it is asserted, were capable of beating six thousand regulars (Addl. MSS. 31250, ff. 21, 25, 31, 32).

² Memoirs, p. 141. Berwick was not at all favourably disposed towards the scheme. Perth desired Lovat to tell Berwick as little as possible, fearing that he would let Middleton know their plans—a thing they were particularly anxious to avoid (Addl. MSS. 31253, f. 10).

³ Addl. MSS. 31251 (Letters from Sir Alexander Maclean).

the Queen-Regent, an ostensible reconciliation had taken place between Lovat and Middleton,¹ the latter complained to Simon of this secrecy, but professed to have satisfied himself that the proposals were practicable.² Thus everything was working smoothly for Lovat, and with Middleton's promise that, after the Restoration, his sentence of outlawry would be formally cancelled³ (a preliminary to substantial rewards), he had every right to congratulate himself upon the results of his diplomacy. The martial spirit of the Scots soldiers at St. Germain was aroused by the prospect of active service in the near future. "God send us," wrote Sir Alexander Maclean, "the occasion of performance, and then the muckle deil take the hindmost."⁴

There was a fly in Simon's ointment. He desired to have a commission as major-general. "I am a sincere, honest man," he writes Middleton, "which is all I have to boast of. When I send here for my general officer's commission, let me know if you will allow me to ask you to procure it for me, for the stronger my character and interest is, the more capable I will be to serve the King and your Lordship."⁵ The Queen-Regent consulted Sir John Maclean about the propriety of acceding to Fraser's request, and was told that it would be inadvisable.⁶ Sir John's advice came to Lovat's ears and caused a coolness, which may have had some bearing upon subsequent events. In the result, Simon got a commission as colonel of foot, to be raised in Scotland, which was signed by James and countersigned by Middleton.⁷

¹ Memoirs, pp. 137, 138.

² Sir John Maclean's "Discovery."

³ *Id.*

⁴ Addl. MSS. 31251 (Letters from Sir Alexander Maclean).

⁵ Addl. MSS. 31251 (Draft letter, unsigned and unaddressed, but apparently intended for Middleton).

⁶ Sir John Maclean's "Discovery" (Scottish Conspiracy).

⁷ Macpherson, Original Papers, vol. i. p. 630. Scottish Conspiracy Papers, p. 41. Before he left, Lovat had a highly satisfactory interview with the

The question of the command was an all-important one. Incomparably the best general the Jacobites had at their disposal was the Duke of Berwick, afterwards the hero of Almanza. But it was urged by Lovat against him that he would not be acceptable to Scotsmen, owing to the alleged favouritism he showed to Irish soldiers in the French service. The alleged reason, however, for passing him over was to permit of the command being offered to the Duke of Hamilton, as a bribe to secure his support; and it was obviously impossible for Berwick to serve under Hamilton.¹ St. Germain had an almost pathetic belief both in the staunchness and the influence of this unreliable nobleman, who never put pen to paper if he could help it, for fear of committing himself. By his attitude on the Darien question, he had acquired a spurious popularity; and the patriotic sentiments of which he became the leading exponent, had placed him at the head of the Country party, or Nationalists, in Scotland. The Duke, as it turned out, was a broken reed to lean upon, his equivocal Jacobitism lending some colour to Lovat's accusation that "he was devoured with the absurd idea of becoming himself King of Scotland."²

Suddenly Louis announced his decision, that having regard to the risks involved in embarking upon the enterprise without the guarantees for effective co-operation in Scotland which he deemed necessary, he would postpone the preparations for a French expedition until more positive assurances from the Highland chiefs were forthcoming. This was a blow to Lovat, who wished to force

Queen-Regent and her son. The King (he tells Gualterio) had given him a written promise "*de me faire le premier Comte*," and had presented him with his portrait (Addl. MSS. 31252, ff. 36, 37). The Chevalier's letter may be seen in the autograph department of the British Museum; it confirms Lovat's statement in every respect.

¹ Sir John Maclean's "Discovery" (Scottish Conspiracy).

² Memoirs, p. 173. The idea was not so absurd after all, for Hamilton had something to say for himself as a claimant to the throne.

the pace, but the actual instructions he received completely dissipated his hopes of following that line. He blamed Middleton for having persuaded the Queen-Regent to encourage a cautious attitude on the part of the King of France;¹ and his assumption was probably correct.² Middleton had a poor opinion of Lovat and of his Highland project, and was ready to disparage both, without expressing his open hostility to a scheme that had already been accepted in principle. Doubtless, it was his honest opinion that the project was foredoomed to failure; and he appears to have translated his belief into action by encouraging James Murray (a brother of Sir David Murray of Stanhope), who was also being sent to Scotland, ahead of Lovat, to throw discredit upon Fraser's mission.³ Certainly Murray, when in Scotland, did much to nullify Lovat's efforts, and it is scarcely credible that he would do so without authority.

From a memorandum in the handwriting of Sir John Maclean, it appears that, according to the original proposals, the French troops to be sent to Scotland were to run as few risks as possible. "There is no hasard to be runne by the French troops that goe," says the memorandum, "since they shall have places capable of fortification in their handes, which secures them against all accidents." Stress is laid upon the considerable diversion which a rising in the Highlands would create, since the Government have sufficient experience of the Highlanders not to trust militia against them, "so that not onlie the troops sent from home must oblige the enemye to detache thrice there number, but they must send thrice the number of the whole bodye." It is further suggested that should

¹ Memoirs, pp. 135, 136.

² The Queen-Regent was originally so "ravished" (as Lovat put it) with the proposals for an immediate rising in the Highlands, that she offered to pledge or sell her jewels, in order to promote the undertaking. (Addl. MSS. 31250, f. 10. Memoirs, p. 125).

³ Memoirs, p. 152.

there be a difficulty in shipping a large body of French troops, a small number of Irish soldiers, to be supplied with money and arms, could be landed on the west coast near Fort William.¹ This suggests that the co-operation of Ireland in bringing the scheme to fruition had been contemplated. But all military preparations were shelved, pending the results of the missions which it was decided to send to Scotland.

James Murray, who was regarded by the Queen-Regent and by Middleton as a thoroughly trustworthy person, was charged with the duty of approaching (more particularly) the Duke of Hamilton, and inducing him and those who acted with him to oppose with all their might the proposed Union of England and Scotland, and the recognition by Scotland of the Hanoverian succession. He was also instructed to define the attitude of France to the Jacobites whom he interviewed. The French were willing to give whatever assistance they could, but were not willing "to venture on matters that are not decisive." Therefore, the friends of James were urged to consult together "to frame a project for a general undertaking. And some person or persons should be sent to St. Germain with credentials signed by the principal undertakers, these credentials to be conveyed to France by being wrapped up in a thin cake of lead, "and dropt in the sea when in danger of being seized." ²

Lovat's instructions are dated February 25, but were signed on May 5, 1703, the object being to make them anterior to the Scottish indemnity offered by Queen Anne. The wording is a model of non-committal drafting; it is marked by honeyed expressions of gratitude for past services, and by vague promises of support in the future. The Highlanders were to be supplied by France "with everything that can make them appear effectually for us,"

¹ Addl. MSS. 31251 (Sir John Maclean's memorandum).

² Macpherson, Original Papers, vol. i. pp. 626, 627.

but only "when the conjuncture is favourable," the decision as to the proper time for action resting obviously with France. Louis had promised to restore the Scottish nation to "all the privileges they formerly enjoyed in France," when, by the exertions of his friends, James was put in possession of his "ancient kingdom" of Scotland. In the meantime, the Highlanders were so to concert matters as to be in readiness "when there is occasion for them"; and they were authorized to endeavour to attach to the Jacobite interest, "as many as they can of such as are considerable in the nation," by their families or their employments. Highland officers holding commissions from the late King James were authorized to make use of them until new ones were granted.¹

It would appear from these instructions that the only authority with which Lovat was invested was to confirm his Highland brethren in the Jacobite faith, and to beat up fresh recruits. He was specially charged to "shew this paper only to such Highlanders as knew of your coming hither, and have sent to us by you, and such others as you hope to bring to our interest."² As Major Fraser says, very properly, the commission was in the main, a sham "to make a noise."³

The really practical part of the mission was entrusted to Lovat's friend and companion, Captain John Murray (brother of the Laird of Abercairney), whose instructions were very much to the point. Louis had originally wished that a Frenchman should accompany Fraser, and make an independent report. But this proposal involved certain difficulties, and ultimately John Murray—"Jonie Moray" as his friends called him—was chosen for the purpose as a Scot who was also a subject of France. There is no

¹ Macpherson, *Original Papers*, vol. i, p. 630.

² *Id.* Lovat's departure from this instruction constituted a ground of severe complaint against him after his visit to Scotland.

³ Major Fraser's MS., vol. i. p. 137. The Major falls into the error of saying that the commission was from the King of France

ground for the suggestion that he was selected to play the spy on Lovat. Had such been the intention, "Jonie Moray" would certainly not have been the choice of those who had their misgivings regarding Fraser.

"When you arrive in Scotland," so ran the instructions to John Murray, "you are to repair straight to the Highlands, there to be introduced by Lord Lovat to chiefs and gentlemen, and to find out what they propose, what they are able to do, what time they can be ready. If there be diversity of opinions, mark the persons that differ with reasons given for so doing. When sufficiently instructed, and of what else may be for service in the Highlands, return thither and give a full account, that we may know what we have to expect when occasion arises for their service."¹

The instructions were signed and sealed at St. Germain on the same day as those issued to Lovat. It will be seen that they are short, precise, and business-like. Upon Murray's reports from Scotland, rather than Lovat's, it was clearly intended that future action should be based. The ambiguous reference to "chiefs and gentlemen" shows that it was intended that Lovat should approach others besides the chiefs of the clans.²

The period we are dealing with was one in which the trade in England of the political plotter, the spy, and the informer, was in a flourishing condition. It was a trade which was governed by the ordinary laws of commerce. A demand arose, and the supply followed. As with other

¹ Macpherson, Original Papers, vol. i. p. 630.

² There is a memorandum "to serve as an instruction" to Lovat and Murray, in which the belief is expressed by "His Britannic Majesty" (the Chevalier) that the doughty deeds performed by the Highlanders in the past in the Stuart cause, are a guarantee of their continued faithfulness in maintaining the rights of the ancient monarchy of Scotland against *la nouvelle usurpation projetée en Angleterre*. John Murray is charged to assure them that if they are ready to rise in sufficient numbers, Louis will countenance the enterprise and send them experienced officers, with money, arms, and munitions (Addl. MSS. 31250, ff. 31, 32).

trades, when the demand slackened, it was stimulated by fresh devices, calculated to revive the industry. There was little fear of its becoming extinct, so long as money was to be made by informing upon, and political interests were advanced by detecting, the Jacobite sympathizers who were to be found in every grade of society. The most celebrated political schemer of his time was Robert Ferguson, who is said to have been concerned in every plot that was hatched since the Rye House conspiracy. Lovat met him in England, with what result we shall see ; but before Simon left France, he made the acquaintance of a woman who, in her own sphere, was almost as notorious a political schemer as the veteran Ferguson himself. Her name was Frances Fox, and one of the chief plots with which her name was associated, was the conspiracy against King William, for his share in which Sir John Fenwick had suffered death on Tower Hill.

Mrs. Fox, whose husband seems to have found the society of other ladies more seductive than that of his own wife, was nevertheless an attractive woman ; otherwise, she would have been unfitted for her trade of political intriguer and spy. Melfort, when Secretary at St. Germain, found her services of considerable value, and appears to have trusted her implicitly. When her patron was dismissed in disgrace, Mrs. Fox lived for some time in a monastery ; but that was a life that hardly suited a woman of her temperament. She found means of ingratiating herself with Middleton, and soon gained the confidence of that Minister and his wife as completely as she had won the friendship of his predecessor.¹ Lovat tells us that she was constantly employed "passing and re-passing between St. Germain and London, to cultivate the pretended commerce between Lord Middleton and those English noblemen who promised to cause the Queen and the Parliament of England to declare for

¹ Sir John Maclean's "Discovery" (Scottish Conspiracy).

James the Third," and who, as Lovat justly remarks, were afterwards "the most zealous partisans of the House of Hanover."¹

According to Fraser, Mrs. Fox was employed by Middleton—"the great female statesman of the Court of St. Germain," he calls her—"to draw out of Lord Lovat all that he intended to do when he arrived in Scotland." This charge appears to be fully substantiated by subsequent events. Mrs. Fox had obtained an introduction to Simon, either through Sir John Maclean, who, with his wife, was friendly with her, or through Captain John Murray. Simon describes how she attempted to charm him with her blandishments. "As she had a great deal of wit, she entertained Lord Lovat very agreeably for two hours with the fine qualities of Lord Middleton and the intrigues of the Administration." This conversation took place in Middleton's *petite maison* near the convent of the Benedictines, "where he often retired in pious seclusion from the world, and held his conferences with Mrs. Fox and his other spies,"² But Mrs. Fox had met her equal in the arts of dissimulation, and Simon was not to be drawn.

Some correspondence which passed between Lovat and Mrs. Fox while he was on his journey to England, contains an interesting competition in finesse between the two skilled players. Mrs. Fox sought information from Simon; and Simon gave her compliments instead. If she was Mrs. Fox, he ought to have been Mr. Fox, for never were pair better matched in cunning. The lady took full advantage of the delightful eclecticism in orthography which marked the period in which she lived, but which (alas!) is no longer permissible. To be precise, the spelling of this charming woman was simply atrocious.

"The first and last thought," she writes Simon, "of

¹ Memoirs, p. 140.

² *Id.*, pp. 146, 147.

every day will be felisitously employed til I am suer that (you are safe) and eaisey att your Lordship's owne home." She begs him not to let "the vast fire of youth, or a mistaken bravery of soule," lead him into dangers. The liberty she takes in thus charging him to look after himself is "the efect of a senceare conserne and an esteem that will be lasting as my life." She bids him "adue," and prays that "your Lordship be as hapey as you deserve to be." In a postscript she gives him a "cacion" not to say anything in any letter concerning her, "but what will bare the sevest examination, for accedents may hapen that may expos to sencour what is most inacent in it selfe." Captain Murray (apparently) is referred to as her "friend the chocklet man," an allusion to which there is no clue.

The reply to this "most charming and obliging letter" is full of Lovatisms. "I must own to you," says Simon, "that in all my life, I found very few of your sex capable of a sincere friendship. But I find so much intire honor, extraordinary knowledge, and good sense in you, that I am convinced you are more capable of true friendship than any of your sex or my own." He is so sensible of his loss in parting so suddenly "with such an excellent friend as you, without having the honour to be well known to you, that my melancholy has occasioned my being ill ever since I took journey." Her friend, the "Jaculat man," he says, is "mightyely concerned" for him, fearing that his "pensive-ness" will kill him. "For all I can do, I am not able yet to recover my spirits or have any inclination to food or company." He intends to stay some days where he is (St. Omer, where he was ill) in the hope of overcoming his indisposition, "for it would be unlucky to dy here when I have so much to do with my life elsewhere." Her "obliging comands" to preserve his life will give him more satisfaction in living than anything else. "I never yet hade such pleasure in living as I hope to have in ye honor of y^r friendship."

"Adieu, most deserving of your sex," he proceeds. "Poor Sir John (Maclean?) cryed heartily at parting, but his companion (Lady Maclean?) was very merry, which astonished me mightily, she and your son embracing and laughing." An exchange of compliments, however, was not the object of this correspondence. "I writ ye enclosed," says Lovat, "of busines according to your cypher that you may show to your friend (Middleton?) and give him the other enclosed line."

The reply of Mrs. Fox is dated June 2 (the other letter bears no date). She expresses uneasiness at his ill-health; his goodness to his friends has caused him to make too great a sacrifice of himself. She reiterates her desire for his welfare: "for I would clame y^r friendship in the face of the hole world." She has given her friendship with the greatest confusion, for she would blush to read one line that would not bear the severest test. His last letter was too kind, and yet she dares not chide him for it. She is thoroughly sincere in all she says: "I wish you saw my soule without disgiyes." She wishes him to convince her in his next letter that he believes her "above the comon foleys of our sex," who love to be admired in every season and time. However hastily their friendship had been formed, she would grieve to think "it should ever end, but with their lives." She pities the honest, worthy "jocklet" man, for she is sure that he must suffer equally with Simon in the illness of the latter. Certain items of news about persons, who figure under assumed names, follow these expressions of friendship, and there is a complaint by the lady about some woman who had been worming information out of Lovat's man, or eavesdropping at Mrs. Fox's door.¹

By her flattering attentions, Mrs. Fox showed full recognition of the fact that to secure Lovat's full confidence would be an achievement worthy of her cleverness, for it

¹ Addl. MSS. 31251 (Correspondence with Mrs. Fox).

would prove a marketable commodity of substantial value. But it does not appear that she succeeded in extracting much information from him. By a contemporary (and a fellow-spy) she is described as "a canny jade and very capable."

Lovat was detained for about a month at Calais, waiting for an opportunity of crossing the Channel. At length, with the help of Count de la Tour, Governor of Calais, who bribed the captain of an English packet to carry them as English prisoners of war, Lovat and his party, consisting of Captain John Murray, Colonel Graham, and Major George Fraser, were landed at night, at or near Dover, whence they made their way to London.¹

¹ Memoirs, p. 153. In a letter to Gualterio, Lovat takes credit for having, himself, made the arrangements with the English captain. He wrote several letters to the Nuncio during his journey, most of them relating to money matters (Addl. MSS. 31252).

CHAPTER XII

SIMON FRASER stayed in London only sufficiently long to glean whatever political information was serviceable to him.¹ Accompanied by three servants on horseback, John Murray and he pushed on to Durham, where they expected a supply of money and fresh horses from Scotland. They had an exciting adventure at Northallerton, owing to the imprudence of a French valet, who got drunk and talked too freely. A Justice of the Peace—the same man who had arrested Law some years before upon his arrival from France—happened to be drinking in the post-house where the travellers were staying, and, scenting reward, had the house surrounded by constables. Lovat was informed of these proceedings by “a gentleman of his clan who was his servant.” This Fraser appears to be the “Tomm” whose name occurs in Sir John Maclean’s letters; he figures subsequently as Captain Thomas Fraser, who assisted Lovat in his mission.

The action of the Northallerton Justice created an alarming situation, but Simon proved fully equal to it, according to his own account. “Let us cut our way through them or die in the attempt,” he proposed to

¹ Lovat wrote Gualterio on June 12, stating that he was leaving London on the following day. The “big merchant” (Hamilton?), he says, has lost much of his interest, and will not hazard a sou for their interest. He accuses Sir John Maclean’s wife of sending secrets to her father, who sells them to the Government, and counsels caution, because Sir John can conceal nothing from his wife (Addl. MSS. 31252, ff. 88–93).

Murray ; but "Jonie Moray," being a naturalized Frenchman (a fact which protected him against violence), declined to take the risk. Thereupon Lovat armed his servants, and, with pistol cocked, prepared for the worst. But he was nothing if not resourceful, and it suddenly occurred to him that the simplest way out of the difficulty would be to pit his wits against those of the Northallerton Justice. He resolved to pass himself off as a brother of the Duke of Argyll, and since he was travelling under his old name of Captain John Campbell (John Campbell of Mamore was a brother of Argyll), and had accompanied the Duke in the past to the Northallerton races, it was not difficult to act the part with convincing skill.

When the Justice appeared before Lovat, the latter greeted him effusively. "My dear Sir," he said, "how happy I am to meet you. It is almost two years since I had that pleasure with the Duke of Argyll at the races near this town." Deceived by Simon's confident bearing, the Justice dismissed his suspicions, begged his Lordship's pardon for his intrusion, and forthwith invited him to crack a bottle of wine with him. He ordered the constables to go home, and had a bottle of the best Spanish wine (the forerunner of others) sent up to Lovat's room. Simon plied him with liquor, and made him so helplessly drunk that he had to be carried home. The travellers did not wait to ascertain the mature and sober views of the Justice next day. They left the town at once, though the hour was one in the morning.¹

At Durham, Lovat had an interview with some of the leading Roman Catholics of the town. He showed them the picture of James that the King had presented to him, whereupon they fell on their knees, kissed the portrait, and prayed for the original. They desired him to inform James that their co-religionists in the North of England

¹ *Memoirs*, pp. 154-158.

were ready to venture their lives in his cause. An Irishman, one Colonel Butler, to whom he spoke, assured him that it would be easy to enlist the services of five thousand of his countrymen, if they were provided with arms by France. But Lovat produced no concrete evidence in support of these statements when, after his return to France, he reported his proceedings.¹ One transaction essential to his safety he seems to have successfully carried through while in the North of England, and that was, to initiate negotiations for enabling him to travel in Scotland without fear of arrest. He sent messages to the Duke of Argyll and the Earl of Leven, which secured that object most effectively.

Exactly what passed during this visit to England and Scotland it is not altogether easy to determine, though the main facts are tolerably plain. We have to decide between the accounts given (*a*) by Lovat, fighting for his reputation ; (*b*) by the Duke of Queensberry, fighting for his place ; and (*c*) by men like Colin Campbell of Glendaruel, Sir John Maclean, and others, fighting for their lives. But the evidence given before the Committee of the House of Lords, which was appointed to inquire into the "Scottish Conspiracy," agrees upon one point : that Lovat was a player who always took care to hold the winning card.

"Lord, what fools these mortals be !" Simon Fraser, aged twenty-seven, had long come to that conclusion. We have seen him impersonating Pluto ; we have now to watch his capers as Puck. For the "Scottish Conspiracy," the "Queensberry Plot," or whatever other name was given to the political sensation in 1703-4 with which Fraser's name was associated, owed its conception to Lovat ; the play was stage-managed by Lovat ; and it was Lovat who alone reaped any advantage from it.

¹ Macpherson, *Original Papers*, vol. i. (Lovat's memorial to the Queen-Regent).

It is customary to regard Simon Fraser as a man who would stick at nothing to gain his ends. That view can hardly be accepted as strictly correct. His code of ethics was peculiar, but by no means unique. He frankly confessed, some years later, that he would take a "cart-load of oaths" (and break them without compunction) in order to serve his friends.¹ Clearly he was a convert to the doctrine usually attributed to the Jesuits, that the end justified the means. In his view, lying was a fine art which the wise man cultivated as a valuable asset. He himself sounded the whole gamut of the liar's notes. He told big lies and little lies, black lies and white lies; he was an adept in evasion and inexactitude, in half-truths and quarter-truths. "What *is* truth?" he had asked himself early in life, and failing to receive a satisfactory answer, convinced himself that the quest was equally hopeless and foolish. When he told the truth, he told it because it served his purpose better than a lie; when he told a lie, he told it for a precisely similar reason. But so far as is known, he applied this standard mainly to public affairs, and in private matters, his word was probably as reliable as that of most of his neighbours. This discrimination in ethical rectitude is not confined to men like Simon Fraser. There are business men who are scrupulously truthful in the home, and utterly untruthful in the City. There are politicians who are the soul of honour in the Club, and unprincipled hucksters on the hustings.

But there was a point at which Lovat's untrustworthiness stopped short, and it was a redeeming trait in his character. He had no scruples in embarking upon an ocean of deceit to serve his own interests, but he was equally ready to serve his friends by the same methods. He had no hesitation in playing with both hands in politics, but he never betrayed his political associates, and

¹ Miscellany of the Spalding Club, vol. ii. p. 18.

he was generally willing to help his comrades.¹ It may be objected that if any advantage to himself had been derivable from throwing them over, he would have shown no compunction in doing so ; but it would not be difficult to rebut that suggestion. The narrative of his proceedings, of which the so-called "Queensberry Plot" was the fruit, will exemplify the characteristics of which a general survey has just been taken.

From the first, Lovat was alive to the fact that the commission entrusted to him was a mere toy wherewith to amuse the Highland chiefs. Neither Versailles nor St. Germain meant business, but Simon had not come over from France for the benefit of his health. His health was indifferent, and his fortunes were shattered ; he was ready to risk the former, by attempting to restore the latter. His trumpery commission was useless for that purpose, and it is obvious that his aspirations soared far beyond it. If only he could carry the Highland chiefs with him, he would place an interpretation upon the commission that would astonish his timid friends across the water. The Queen-Regent had strictly charged him to avoid any attempt to foment a rising, but that was a circumstance which had no great weight with Lovat. He was a believer in the adage that nothing succeeds like success, and was firmly convinced that if he could induce the Highlanders to rise, he would receive the support of France, and would be able to keep the movement alive until the arrival of French assistance. Even if the rising were quelled, he counted, with very good reason, upon the favour of Louis for creating a diversion which could not fail to benefit France. There can be no doubt that his primary object was to ingratiate himself with Louis. For he had been received with greater respect at Versailles than at St.

¹ He prepared and sent to Gualterio a memorial on behalf of Sir John Maclean, whose cause he pleaded as warmly as if it were his own (Addl. MSS. 31252, ff. 19, 20). He received a poor recompense for his trouble.

Germain, and he could have had but little hope of being trusted at the latter Court, so long as Middleton held the reins of office. Moreover, there was no comparison between the rewards which Louis the Magnificent had the power to bestow, and those which Mary the Impoverished was able to grant even to the most faithful of her servants.

The party cleavage in the Scots Parliament had been accentuated by the important measures recently under discussion. The "Act of Peace and War," making it unlawful for any sovereign both of England and Scotland, after Queen Anne's death, to declare war without the consent of Parliament, had been carried in the teeth of the Court party by a coalition of the Cavaliers (or Jacobites) and the Nationalists. The Scottish Act of Security, reserving to the Parliament of Scotland the right, on the death of Queen Anne, to name her successor to the Scottish Crown, was on a different footing. It was expressly stipulated that the successor should be in the Royal line of Scotland, but that he or she should not be the same person who succeeded to the Crown of England, except under certain definite conditions which safeguarded the honour, the religion, and the commercial interests of the Scottish nation. The Crown of England had already been settled on the House of Hanover, failing issue of Queen Anne's; and the consequences of the Scottish Act were therefore likely to prove of the most far-reaching character. Supply had to be wrung from the stubborn Parliament, and concessions were therefore unavoidable; but the Act of Security was a measure to which the Court party offered uncompromising opposition, and from which the Royal assent was steadfastly withheld. In the course of the debates—which were marked by an extraordinary effervescence of feeling—the Courtiers were deserted by Atholl, Seafield (the Chancellor), and Cromartie (Lord Tarbat, the colleague of Queensberry), who joined the Cavaliers. This secession was bitterly resented by

Queensberry, who singled out Atholl, more particularly, for punishment when an opportunity should present itself. Hamilton, the brother-in-law of Atholl and the leader of the Nationalists, was still more obnoxious in the Commissioner's eyes, as his most dangerous political opponent.

The Duke of Queensberry, the "proto-rebel" of the Tories ("the first Scotsman to go over to William of Orange," says Lockhart), was a conciliatory type of statesman, who believed in the efficacy of suavity and reasonable accommodation. He was pleasant, tolerant, and popular—"a very friendly, affable man," Sir John Clerk calls him. Yet he was not exempt from the weakness of political animosity. He was sincerely attached to the interests of Queen Anne, and in his eagerness to serve her and punish those who opposed the Courtiers, he was ready to undermine the reputation of his enemies by whatever means he found at his disposal.

This was the statesman who received intelligence in August, 1703, during the stormiest passage of his parliamentary experience, that a certain person, lately arrived from France, desired to offer information of great value to the Crown, and would call upon Queensberry if provided with a safe-conduct from England. Queensberry's correspondents were the Presbyterian leaders, Argyll and Leven, for the support of whose following in Parliament, the Commissioner not long before had thrown over the Cavaliers. All three—"the Triumvirate of Scotland," Lovat calls them—were united in the desire to unearth Jacobite conspiracies, and to expose certain politicians whose loyalty they suspected, or whose influence they wished to nullify.

The mysterious stranger imposed specific conditions. His name was to be kept secret, and a pardon and a promise of some estate for a maintenance were to be



JAMES, 2ND DUKE OF QUEENSBERRY.

[To face p. 112.]

obtained for him. Willing to serve Queen Anne, and eager to score against his political adversaries, Queensberry agreed to secrecy and a payment in money for any discovery of importance, but could not bind himself to procure a pardon. He would, however, grant a pass to the informer, in order to enable him to come to Scotland. As the result of these negotiations, the man from France appeared before the Commissioner, late in September, after the troublesome House had been adjourned. He proved to be—Simon Fraser.¹

Lovat, in point of fact, was playing a deep game. His circumstances were desperate, and he had resolved upon a desperate remedy. Consider the situation in which he was placed. Letters of fire and sword were out against him. His financial resources were slender. He had a pension from St. Germain, and before he left France he received 500 louis-d'ors; but his expenses had been heavy, and his money was gone. He had a commission which constituted him a sort of glorified sugar-broker. And to crown his misfortunes, the Lovat estates had now passed, irrevocably as it seemed, out of his hands. For the heiress, first designed to be the bride of young Saltoun, and then of Lord John Hay,² ultimately married, in 1702, Alexander, son of Roderick Mackenzie (the Earl of Cromartie's brother), a Judge of the Court of Session, who is better known as Lord Prestonhall. In the same year the bride obtained legal recognition of her right to the title of "Lady Lovat," and simultaneously, Simon Fraser was declared to be divested of all rights he had, or could pretend to have, to the lands, estates, or lordship of Lovat. Long before—in the year 1669—Roderick Mackenzie had purchased an apprising against the Lovat estates for the sum of £1000 Scots (£83 6s. 8d. sterling), and in December, 1702, he

¹ Queensberry's Paper (Scottish Conspiracy).

² McCormick, Carstares, p. 633 (Letter dated September, 1700).

obtained a decree from the Court of Session for the property. Subsequently (in February, 1706), he executed an entail in favour of the heirs of his son and Lady Lovat, having previously obtained a Crown charter for the estates.¹ Prestonhall's son styled himself "of Fraserdale" (a fanciful place-name), and both he and his father made every effort, directly and indirectly, to exalt the stag's head above the strawberry leaves; in other words, to make the Clan Fraser an appendage of the Clan Mackenzie. But their efforts were in vain.

These proceedings, some of them of recent occurrence, were gall and wormwood to Simon Fraser, who was left to contemplate with impotent rage, the legal jugglery by which he had been cheated out of his just rights. He had a passionate longing to recover his estates, and live among his kindred as a benevolent autocrat. There were two ways of gaining his heart's desire, and two ways only. The first was to force the hand of Louis of France by precipitating a rising, designed to place James on the Scottish (if not the English) throne. If this object could be successfully attained by his help, a pardon, the Lovat estates, and other substantial rewards would be easily within his grasp. And if the effort were made, but failed of success, he would be the recipient, at least, of the bounty of Louis.

The other road to the Lovat estates was tortuous, difficult, and dangerous. He would travel by that road, only if he found the straight path hopelessly blocked. If the Jacobite schemes that teemed in his fertile brain should prove abortive; if Louis of France should turn a deaf ear to his representations; or if Mary of Modena

¹ Collection of Papers in Lovat Cases. The deed of entail executed by Prestonhall shows clearly that his object was to graft the Frasers on the Mackenzie stock—surely a foolish attempt on the part of a shrewd lawyer and a Highlander who, presumably, was acquainted with the strength of clan feeling. The curious will find a copy of the deed in Mackenzie's *History of the Frasers*, pp. 292, 293.

should refuse to countenance his plans—then, and then only, he would shake the dust of Versailles off his feet, renounce his allegiance to St. Germain, and cultivate Hanover with all the arts of which he was a master. He could, if he would, render services of such value to the British Government as would entitle him to a pardon, a pension, and his estates, if he were able to make good his claim to them. He resolved, therefore, to hedge. In the meantime, he would secure immunity from arrest, check-mate his enemies, and pave the way to future employments from the British Government, by pretending to be an informer. Thus, in the event of the contingency arising that he contemplated, he would be able to readjust his political relations without difficulty. He would tell whatever lies might be necessary for his purpose, but would give no information that could injure the Jacobite cause or his Jacobite comrades, unless and until stern necessity compelled him to throw over St. Germain and enter the enemy's camp. But for the moment, his most pressing requirements were money and protection. He succeeded in extracting both from the Queen's Commissioner for Scotland, who thus accepted a risk for which, subsequently, a heavy payment was exacted. Fortunately for himself, however, Queensberry had consulted Queen Anne from the beginning of the negotiations. On August 11, he wrote Her Majesty, telling her of the communications from Argyll and Leven (without mentioning their names), and receiving her sanction, apparently, to proceed with his investigations. On September 25, he reported to the Queen that he had seen the informer (whose name was kept secret), and the gist of his discoveries was conveyed to her.¹ But he said nothing about the safe-conduct he had granted to Fraser, against whom, as it subsequently transpired, the Privy Council of Scotland, at a meeting held on September 21 and attended by Queensberry, had

¹ Queensberry's letters to Queen Anne (*Scottish Conspiracy*).

issued, at Atholl's instance, a commission of fire and sword as an intercommuned rebel.¹ It was an awkward circumstance for the High Commissioner. But how could he have arranged an interview with Lovat unless he granted him a pass? And he was bound to pay for political information.

¹ Somers Tracts, vol. xii. p. 435. The commission was issued in the name of the dowager.

CHAPTER XIII

LOVAT'S movements before his interview with Queensberry in Edinburgh were marked at first by necessary circumspection. He lingered on the Borders, while his friends, protected by the indemnity, pushed on to Edinburgh. But Simon was nothing if not venturesome, and before the Commissioner's pass reached him, he seems to have found his way to Argyllshire, where he met several Jacobite chiefs, notably Sir Ewen Cameron of Lochiel, with his son, the latter a curiously ineffective link between the "Ulysses of the Highlands" and Sir Ewen's hardly less distinguished grandson, the "gentle Lochiel" of the "Forty-five."

Robert Stewart of Appin, who was married to Lovat's cousin, acted apparently as his host, and throughout the abortive negotiations that ensued, figures as his most whole-hearted supporter. The Macgregors, headed by their future chief, Drummond of Balhaldies, Lochiel's son-in-law, were also ready to listen to Simon's representations, and the celebrated Rob Roy afterwards admitted that he was cognizant of what was going on behind the scenes.¹

Queensberry's pass was forwarded to the Highlands (the Duke being unaware of his whereabouts), and in due time, Lovat appeared before the Commissioner, after holding consultations with his friends, among whom were

¹ Declarations of Campbell of Glendaruel and Captain Macleod (Scottish Conspiracy); History of Clan Gregor, vol. ii. pp. 278, 279. In the latter book, there is a record of a Bond by Rob Roy, dated June 22, 1695, submitting to Lord John Murray, one of the witnesses to which is "Lieutenant Simon Fraser of Beaufort" (vol. ii. pp. 276, 277).

Lieutenant Colin Campbell of Glendaruel, a half-brother of Sir John Maclean, and Captain Neil Macleod, both of them ardent Jacobites, though wearing Queen Anne's uniform: Macleod had met Simon at Durham, and appears to have been employed by him as his advance agent; he gave Fraser the hospitality of his roof in Edinburgh, and was a helpful friend in other ways.¹ A curious interview took place between Lovat and the Earl of Leven, his old friend and kinsman. Simon would have us believe that he made a Jacobite convert of Leven, and it is a fact that the Earl subsequently commenced a correspondence with St. Germain, as Lovat, then in ignorance of the fact, discovered to his sorrow. He tried also, he says, to convert Argyll, whom he subsequently met, but to no purpose; the outcome, if we are to believe Simon, being a compact of mutual insurance, each securing the other against political eventualities.² How much, or how little, Lovat told Leven and Argyll cannot be known, but it is inferentially clear that his efforts were mainly directed to convince them that Hamilton, Atholl, and Cromartie were all in correspondence with St. Germain. Argyll died on September 25, the very day upon which Queensberry wrote to Queen Anne, reporting the result of his interview with the unnamed informer. Simon seems to have been genuinely attached to his old patron, and with very good reason, for Argyll befriended him to the end.

Lovat imposed upon Queensberry with the greatest of ease, but that did not necessarily imply any reflection upon the Minister's perspicacity. He gave a fairly correct account of his own career—with certain reservations. He told a plausible story about the plans of Versailles and St. Germain, asserting that Louis had no intention of making his big effort to restore James until his fleet, then under repair,

¹ Declaration of Captain Macleod (Scottish Conspiracy).

² *Memoirs*, pp. 178, 179. Cf. Lovat's memorial to the Queen-Regent (Original Papers, vol. i. p. 645).

could obtain the mastery of the sea. France was willing to help the cause with money, but, for the present, would send no men. Therefore the Government need be under no immediate apprehensions of a French invasion. Louis and his Ministers were confident of the ultimate success of James, who, they considered, was now "grown-up," and should not wait until the death of Queen Anne before asserting his rights. The Cavaliers in the Scots Parliament were ready to follow Hamilton, the Nationalist, in endeavouring to "break" the Parliament and raise the country in arms. James Murray was sent over from France to further these views. He (Simon) was not charged with the mission to Hamilton, because the latter was the brother-in-law of Simon's mortal foe, Atholl. The Duke of Perth corresponded with many of the great men, and some in Queen Anne's service were making their peace with Versailles and St. Germain. He himself had seen a letter from Cromartie to Middleton, prophesying the downfall of Queensberry, and the passing of the Secretary's seals into his (Cromartie's) sole hands; promising a general indemnity when that event should happen; and stating that Queensberry had received £5000 from the family of Hanover—which statement, added Simon, was received with incredulity by Middleton. A spy of Cromartie's had been sent to the Bastille at his (Lovat's) instigation before he left France.¹ Three important letters

¹ This "spy" was a law student named Mackenzie, who has something to say for himself. He states that he went to France in 1669, and that when war was declared he wished to return home, but was refused his passport, for no known reason but to serve the ends of "that hideous misanthrope, Beauford," who misrepresented him to the Ministry to prevent his giving information about his own "turbulent contrivances and conspiracy." He passed fourteen months "in a fulsome and nauseous dungeon in the Basteele at Paris," and was eventually liberated in June, 1704 (Portland Papers, vol. viii. pp. 183, 184). Sir John Maclean stated that one Stephenson, a banker, had been thrown into the Bastille at the instigation of the Duke of Hamilton, to prevent him from disclosing inconvenient secrets (Sir John Maclean's "Discovery"). The Bastille was a useful place for stopping the mouths of talkative people!

had been sent by Mary of Modena, one for the Duke of Hamilton, to be delivered by James Murray, the second for the Duke of Gordon, which had already been handed to him, and the third—which he had “found the way to be master of”—for—the Duke of Atholl. The letter was produced by Simon and handed to Queensberry, who sent it to Queen Anne without breaking the seal (that of her father). It was addressed “L. M. Y.,” which Lovat interpreted as “Lord Murray,” the title by which Atholl was known at St. Germain.

Here was, indeed, a fine discovery! In point of fact, it was a curious medley of truth, half-truth, and falsehood. Some of Lovat's statements were confirmed by information already in possession of the Government; some were entirely unsupported by other evidence; and the remainder seemed to accord with the suspicions already entertained by Queensberry. All were plausible, and all were freely made with an appearance of sincerity. “I am a Protestant,” declared Simon. With an air of deep concern, he confessed that he was not easy in his mind about “Popery,” and deplored the evils which it might bring upon his native country! It was only his misfortunes that had driven him to the course he had taken in France; but he would atone for the past by the services he would yet perform for Queen Anne's Government. He was a man of great consequence, both in the Highlands and in France, and was at the bottom of all the intrigues of St. Germain and Versailles. He would return to France, and in due time come again to Britain, with such information as would enable Queensberry to lay his enemies by the heels.¹

What a simpleton Queensberry was! Such seems to be the judgment passed by historians upon the confiding Minister. In support of that view, they point to the absurdity of the supposition that Mary of Modena would

¹ Queensberry's Paper (Scottish Conspiracy).

entrust a letter for the Duke of Atholl to Simon Fraser, of all men in the world. But Lovat was not such a fool as to think that the Commissioner could be deceived by such a palpable improbability. His story, it will be observed, was that he had "found the way to be master of" the letter. Nor was the Minister completely convinced that Simon's discoveries were altogether genuine. "I confess," he wrote to Queen Anne, "it is hard to think how one should know or be ready to reveal so much." Had Simon been an artist thoroughly equipped in the field of romance, he would not have aroused the Minister's suspicions by overstating his case, as he seems to have done. But he felt secure in the proofs of his veracity that he was able to produce, and by the same means Queensberry's suspicions were allayed; or he pretended to be convinced that they were groundless.

The following proved to be the text of the letter, which was dated May 20:—

"You may be sure that when my concerns require the help of my friends, you are one of the first I have in my view. I am satisfied you will not be wanting for anything that may be in your power, according to your promise; and you may be assured of all such returns as you can expect from me and mine. The Bearer, who is known to you, will tell you more of my friendship to you, and how much I rely on yours for me and those I am concerned for. M." ¹

Bishop Burnet does not doubt the genuineness of this letter, and his suggestion is, that it was written in general terms in order to enable the bearer to direct it, in his discretion, to any of the great nobility to whom it was likely to prove acceptable.² The superscription was in a different handwriting from that in which the text was

¹ Copy of the letter appears among the papers relating to the Scottish Conspiracy, p. 43.

² Burnet's *History of his own Time*, vol. v. pp. 96, 97.

written, and this fact seems to lend colour to Burnet's suggestion.

Lockhart, on the other hand, did not believe in its genuineness,¹ while the Duke of Perth, the best authority of the three, alludes to it as a "counterfeited" letter.² But this adjective may relate to the direction, and not to the text. For how could Lord Lovat have obtained access to the seal of King James?

In whatever manner the letter came into Lovat's hands—whether forged by him, or entrusted to him by Mary Beatrice, or, as seems most likely, secured by him from the actual bearer (John Murray?)—there seems no reason to doubt that the direction was his handiwork. The disclosure of the correspondence with St. Germain revealed by the text meant ruin to the person concerned, as Lovat well knew, if his identity could be established. Here, therefore, was a unique opportunity of gratifying his revenge against his most hated enemy, and simultaneously of ingratiating himself with Queensberry. A few strokes of the pen: "L. M. Y;" nothing more was necessary. For similar reasons, he revealed the existence of the letters addressed to the Dukes of Hamilton and Gordon. Hamilton was a "Middleton" man, and he was Atholl's brother-in-law: two sufficiently good reasons for Simon's enmity. As for the Duke of Gordon, he had snubbed Lovat—the letter to him was delivered by John Murray³—and the man who snubbed Lovat had to pay for it sooner or later. For he was morbidly vain, and never forgave a slight.

Whatever view may be taken of Fraser's machinations

¹ Lockhart Papers, vol. i. p. 82.

² Correspondence of Hooke, vol. i. pp. 155, 156 (Perth's Narrative of the Scottish Plot).

³ Captain Macleod's declaration (Scottish Conspiracy). In view of the fact that that one letter was from the Duke's sister, "Mary Perth," which she asked Simon to read before sealing it (Addl. MSS. 31253, f. 19), it cannot be said the behaviour of His Grace was over-courteous.

against Atholl, Hamilton, and Cromartie, there is no ground for Lockhart's statement that Queensberry was at the bottom of the plot.¹ It is one of various allegations in his well-known "memoirs," written (as Sir John Clerk, a clear-sighted contemporary, puts it) "in the heat of party rage." The High Commissioner was a dupe, and he may have been a willing dupe; to assert that Lovat was simply his tool is contrary to fact, for Lovat's was the master mind, and Queensberry was the tool.

From Edinburgh, Simon went to the Perthshire Highlands, where he had another meeting with his friends. He had sent Tom Fraser to the Northern Counties, with letters to various chiefs, and with his instructions from St. Germain, but his deputy seems to have met with scant success in furthering his views. The Whig clans were of course out of the question. The Earl of Sutherland was a staunch anti-Jacobite, and clans, like the Mackays, the Rosses and the Munros, were also hopeless. The Duke of Gordon, the "Cock of the North," had refused to see Lovat; and the Grants and the different branches of Clan Chattan were more than doubtful. The Frasers might be relied upon, and already Simon's brother, with several gentlemen of the clan, had come south to concert necessary measures with the man whom they regarded as their chief. But the great Jacobite clans were cautious. The Macdonalds, with some unimportant exceptions, were reserved, though Sleat and Clanranald were confidently counted upon, Simon having sent them special letters by Tom Fraser. But between Glengarry, one of the most powerful of the chiefs of Clan Donald, and Lovat, there was no love lost, and Simon was not slow to charge him with being his enemy.² The Mackenzies were represented by a youth, whose mother, the Countess of Seaforth, was not disposed to take undue risks. The Macleans were

¹ Lockhart Papers, vol. i. pp. 78, 79.

² Memoirs, pp. 8, 9.

chiefless, and Macleod, the head of Lovat's maternal clan, had just married, or was about to marry, a sister of the new Baroness Lovat, the wife of Mackenzie of Fraserdale. Moreover, the general conditions were different from those that prevailed when the Highlands were so successfully exploited in the Stuart interest by born leaders like Montrose and Dundee. For the power of the purse was now in evidence, and the chiefs were not indifferent to the attractions of comfortable allowances, which most of them sorely needed. Also, as Lovat reminded Mary of Modena, when urging the efficacy of rewards as a stimulus to effort, they had not forgotten the shabby behaviour of Charles II. when, after the Restoration, he ignored his promises to the Highland chiefs who had fought and bled for him.¹

At the end of the seventeenth century, the clans were kept quiet by precisely the same methods as, at the present day, the good behaviour of the wild Pathans is secured by the Government of India. The system of pensioning the chiefs was inaugurated on the advice of Highland advisers like Lords Tarbat and Breadalbane. It met with success, and was perpetuated late in the reign of Queen Anne, from whom, as a Stuart, the Highland Jacobites might fairly claim consideration. But, as in the analogous case of the frontier clans in modern times, cross-currents sometimes divert the bought loyalty of their chiefs into channels of an anti-British character; so, in the case of the Highlanders, there were disturbing elements which no system of annual allowances could effectively counteract. For there were chiefs whom gold could not buy, and there were chiefs whom pensions could not satisfy.

The ignorance that prevailed in the South respecting the North and its inhabitants, was responsible for many of the mistakes that were made by successive Administrations in dealing with the Highlands. In London, and

¹ Addl. MSS. 31250, ff. 4, 5.

even in Edinburgh, two hundred years ago, there was far less known about the Highlanders of Scotland than the intelligent Anglo-Indian of Calcutta and Bombay knows about the Highlanders of India to-day. According to the view of the South, the Grampians divided civilization from barbarism. The mountains formed a natural barrier, shutting out from the fertile Low country, hordes of savage robbers, who spoke a language of unparalleled uncouthness, and wore a garb of unfashionable scantness.¹

The real facts were far from being in accord with the popular conceptions of them, for the chiefs were men who could generally wield the sword with greater skill than their Lowland compeers, and could frequently wield the pen as well, with a facility acquired from a University training. When they visited Edinburgh or London, they were in no way distinguishable from their aristocratic friends, except by the haughtiness of their bearing and the extravagance of their dress. For they considered themselves the equals in birth of the bluest-blooded of the Sassunach nobility, and the superiors of most of them in the accomplishments that ranked highest in their estimation. The gentlemen of the clans modelled their education and their bearing upon those of their chiefs, and the commoners, unenlightened and uncouth though they were, lived in an atmosphere of cousinship with their leaders, that insensibly dignified their outlook upon life. If the

¹ In a memorial to Harley by a Cameronian named William Houstoun, the following passage occurs in a "deduction" of the series of affairs relating to Church and State of Scotland (1704-1708): ". . . the Highlands and Islands, of whom it may be said, as Eusebius of the Romans, 'that God Almighty suffered the Goths and Vandals to ransack the Romans because they were not more zealous in their conversion.'" The West Highlands, according to the writer, were generally "civilized and tolerable"; but the people of the North and East Highlands were either "atheists or Papists." The point of view of a man who wrote about "the Romish frogs" has to be considered in estimating the value of this statement. The Isles, Orkney, Caithness, and Banff, he states, are altogether Gillicrankies (French sympathizers) or Jacobites. He writes hopefully of Strathnaver (Sutherland), Ross, and Moray (Portland Papers, vol. vii. pp. 371-374).

clan system had its obvious drawbacks, it was not without its compensations. It may be added, that the supposed savagery of the clansmen may be judged by a comparison between the treatment of vanquished foes after Prestonpans and Culloden respectively.

In modern times, a journey to Kamchatka is undertaken with less searching of heart than a journey to the Highlands two centuries ago. The average Englishman of that day knew as little about the Macdonalds as his descendant knows about the Mohmands. He would have had as much difficulty in naming the different branches of Clan Chattan, as his modern representative in discriminating between the Baizai and the Khoda Khel. It was a quarter of a century before General Wade carved the face of the Highlands with the peaceful pick and the civilizing spade. It was almost half a century before the clan system received a blow, which felled it like a tree with rotting roots. It was more than a century before Walter Scott unrolled his magic carpet of tartan, that has since conveyed thousands to fairyland. And it was nearly a century and a half before the first railway train puffed through the Highland glens, ploughing its way triumphantly through the last barriers of isolation, and linking with iron bands the City and the Croft.

Such, before Queen Anne was dead, were the Highlands of Scotland, and such were the Highlanders upon whose acknowledged prowess in battle rested the main hopes of Louis of France for embarrassing England at her back-door. At the time Simon Fraser was endeavouring to organize a rising in the Highlands (and thus exceeding his instructions), he was seeking to accomplish what might well have taxed the powers of Dundee himself. Had the clans taken up arms at that juncture, it is easy to see that their chances of success would have been small. They might have held out until assistance reached them from France; but was there any guarantee that

French help would be sent? Above everything, they required a leader of military genius who possessed their confidence. But the leaders who possessed their confidence were not men of genius; and the only soldier of genius whose selection for the command was possible, did not possess their confidence. When, twelve years later, the Highlanders did actually rise, their effort provided a striking object-lesson in the potential value of a competent commander, for the lack of one ruined the enterprise. And in 1703, had the chiefs listened to Simon Fraser's representations and broken out in revolt, Queen Anne might have safely followed the example of her predecessor, who replied to a suggestion for sending reinforcements to Scotland: "There is no need; Dundee is dead."

All this was clearly seen at the council of Jacobites, summoned to meet at Drummond Castle to give a hearing to Lovat and John Murray, who followed Simon from Edinburgh. The meeting was far from being representative, and there was neither enthusiasm nor unanimity. Lord Drummond (Perth's eldest son, and the son-in-law of the Duke of Gordon) and John Murray had met with little or no success in the Lowlands. Thus, both Highlands and Lowlands were on the whole lukewarm, if not antagonistic, and it was difficult to see from what quarter a stimulus was to come, sufficiently strong to engender a general rising. But the rock upon which the council finally split was the question of leadership. Drummond and John Murray could make nothing of Hamilton, who relied upon the Scots Parliament more than upon a Scots army; for the members could be bribed. Lovat modestly waived his claim to the command, making a virtue of a necessity. Drummond would not accept, wisely foreseeing the consequences. The name of the Earl of Breadalbane was the most favoured, especially by Lovat, if he could be trusted; but he was a wily septuagenarian, who would require careful handling. If not the best

general for waging war, he was certainly the craftiest leader for making peace. Additional names proposed were those of the Duke of Gordon—"a very fine gentleman," says Macky, "who loves his country and his bottle"—the Earl of Errol, and the Earl Marischal; but Drummond felt convinced that they would all refuse the offer. It was necessary to have a general to whose command the Scottish nobility would willingly submit, and Drummond plainly hinted that the Duke of Berwick (who, in the following January, became a French subject) was the only possible choice. Until the question of the supreme command was settled, it was useless to discuss an immediate rising. After sitting three days, the conference broke up without arriving at any decision, except to commission Lovat to insist upon succour from France as a condition precedent to a Scottish insurrection. It will be seen that Louis and the Scottish Jacobites were mutually anxious that the other side should take the "step that costs." There were two conferences held at Drummond Castle, the second having been convened, possibly, to learn Breadalbane's decision about the command. In the interval, Lovat went disguised to Balloch, where he had an interview with the Earl, subsequently paying yet another visit to Argyllshire. Breadalbane, as might have been expected, refused to commit himself. He was "too old to turn Papist." He would await events before deciding.¹ As the candid Macky puts it, he was "always on the side he can get most by, and will get all he can of both." The same contemporary tells us that Breadalbane was "cunning as a fox, wise as a serpent, but slippery as an eel"—a singularly apt delineation of Lovat's character as well. Simon described Breadalbane to Louis of France as *un homme solide et très sage*.²

¹ Declarations by Glendaruel, Captain Macleod, and Robert Ferguson (Scottish Conspiracy).

² Addl. MSS. 31250, f. 46.

Lovat tells us that he was commissioned to represent the chiefs at St. Germain and Versailles, as being "the only man that the Highlanders would trust" to make conditions for them.¹ John Murray was to follow him to France, after sounding the Low country further in conjunction with Drummond. It was proposed that Lieutenant Allan Cameron, a son of Lochiel, should accompany Murray to France, as an additional guarantee of Highland co-operation.²

After leaving the Highlands, Lovat stayed a day or two in Edinburgh, "being tender." He again saw Queensberry, who, still in ignorance of Simon's visit to the Highlands, gave him a pass to London and arranged to meet him there. The Commissioner had already paid £200 for the information supplied to him, Captain Macleod acting as intermediary and bringing the money to Balhaldie's house, near Stirling, while Lovat was in the Highlands. Leven and Drummond had also contributed between them sums amounting to £400 as a loan. With what remained of these sums, Simon resumed his southward journey, staying with Jacobite friends at Durham, where fresh horses for London were obtained. He dared not take coach or post for fear of being identified.³

¹ Macpherson, *Original Papers*, vol. i. p. 647.

² Captain Macleod's declaration (*Scottish Conspiracy*).

³ *Id.* *Original Papers*, vol i. pp. 647, 648.

CHAPTER XIV

MEANWHILE what of the Middletonian mission to Hamilton and the other patriots? James Murray had effectively spiked the guns of Lovat and John Murray before their arrival. Also, there is some ground for Simon's accusation that he had given information about the Lovat mission to the authorities, for his nephew, Murray of Broughton (who betrayed Lovat over forty years later), tells us that at Queensberry's desire, his uncle had seen the Minister before Lovat came to Edinburgh, and that he was much caressed by Queensberry on account of their former intimacy.¹ On the other hand, we have the assertion of James Murray himself that he never spoke to Queensberry, Argyll, or Leven all the time he was in Scotland.² So we have to make a choice between the veracity of the uncle and the nephew. The Highland chiefs certainly believed that James Murray had blabbed: Appin (says Simon) volunteered to go to Edinburgh, for the express purpose of cropping his ears and slitting his nose.³

A *caveat* must be entered here against a misapprehension, of a kind that has seriously prejudiced Lovat in the eyes of historians. The two Murrays have been hopelessly confused with one another, with the result that the very damaging report of James Murray about Simon and his doings has been attributed to John Murray, Lovat's leal

¹ Memorials of Murray of Broughton, p. 15.

² Macpherson, Original Papers, vol. i. p. 659.

³ Memoirs, p. 162.

comrade and genuine admirer, who, in point of fact, testified in the most unqualified manner to Fraser's zeal and faithfulness. Lovat's conduct during his visit to Scotland in 1703 has consequently been judged in the light of statements made by an avowed enemy, who has been mistaken for a disillusioned and unpleasantly candid friend. Macpherson, who edited the "Original Papers," was the first to confuse the two Murrays, and his example has been followed by more accurate writers.¹

Lovat was kept busy in London during his stay there. The two men in London in whom he confided were Colin Campbell, of Glendaruel, and William Keith, the nephew of John Murray, who had given him a letter to Keith. He appears to have had a genuine affection for Glendaruel, and to have trusted him implicitly. The strength of his attachment may be gauged by the violence of his language when he discovered that Glendaruel had betrayed him. Another associate in London was the notorious plotter, Robert Ferguson, who tried to worm his secrets out of him. But Lovat, knowing his man, was on his guard. "He did not trust Ferguson," Glendaruel declared, "but sent for him to know what was passing in town, for that he was very intelligent."² Ferguson was probably conscious of his failure, for he admitted afterwards that "of all men," Glendaruel "seemed to be most in Fraser's confidence."³ Yet the experienced plotter (he had a pension from St. Germain) managed to get at the bottom of Simon's dealings with Queensberry, and he made the most of the discovery. Probably he kept his ears open when his young Jacobite friends were in their

¹ Even Mr. Lang, in his "History of Scotland" (vol. iv. p. 94), confuses the two Murrays. His hesitancy as to whether Murray accompanied or preceded Lovat to Scotland is the result of rolling two men into one. Also, in the same paragraph, he gives the date of Simon's visit as 1707 instead of 1703; an uncorrected printer's slip, apparently.

² Glendaruel's declaration (Scottish Conspiracy).

³ Ferguson's declaration (Scottish Conspiracy).

cups, at the taverns where they discussed their affairs ; and undoubtedly he tampered with Simon's Jacobite landlord. Lovat's intimates were cognizant of his visits to Queensberry, and seem to have approved of his successful efforts to "amuse" the Minister.¹

He saw the Commissioner several times in London, where he told him for the first time of his visit (or visits) to Argyllshire. But it is incorrect to assert that he betrayed his Highland associates. He lied like a political poster, but he was staunch to his comrades. His story was that his visit to Argyllshire was made with the object of speaking to some of his friends in relation to discoveries.² In other words, he had gone in the interests of the Government, hoping to induce the Highlanders to supply him with information that would be passed on to Queensberry! He had not the slightest hesitation in blackening his own character, in order to serve his own ends. Had Queensberry known the real facts, as he did afterwards, it can hardly be supposed that he would have assisted him, as he did, in making his escape from England. It is not altogether surprising that, in giving an account of his proceedings, Simon should have assumed an air of injured innocence. "Had he not," he asks with some point, "the heads of all the King's friends in his pocket?"³ And having concealed the main purport, and the due execution of his mission, how could he be deemed a traitor? Even John Murray's name had not once been mentioned by him to Queensberry.⁴

This is a view-point to which due weight has not

¹ Scottish Conspiracy Papers, p. 7. Memoirs, pp. 178, 186. Original Papers, vol. i. p. 680.

² Queensberry's Paper (Scottish Conspiracy).

³ Memoirs, p. 183. After his return to France, Lovat argued in the same strain, in a letter he wrote to Perth, seeking to show the absurdity of the accusation against him (Correspondence of Hooke, vol. i. pp. 88, 89).

⁴ Queensberry's Paper (Scottish Conspiracy). But Lovat (Memoirs, p. 172) states that he asked for and obtained Queensberry's promise not to "disturb" John Murray, who had come "to see his brother and kinsmen."

been given by Simon's critics, who assume that Lovat—to use a colloquialism—"gave the whole show away." He did nothing of the kind, and it may be doubted whether he gave any really useful information at all that Queensberry was not previously in possession of. It does not appear, indeed, that Queensberry attached much importance to Fraser's stories about the doings at St. Germain or the intentions of Versailles. What really interested the Minister was the pretended discovery of the correspondence carried on between St. Germain and the three statesmen whom he wished to humble. And the further revelations that he expected from Simon after his return to France were concerned mainly, if not entirely, with the same trio of suspected Jacobites.

In charging Hamilton with conducting a secret correspondence with St. Germain, Lovat spoke the truth. The Duke, in fact, was at the time hand-in-glove with the exiled Court. He was an adroit Parliamentarian, as the Courtiers knew to their cost. His interests coincided with those of St. Germain in resisting abjuration, Hanover, and the Union. But it may be doubted whether his intention was that St. Germain should alone (if at all) reap the reward of successful opposition. According to Macky, he was extravagant in his younger days, and had grown covetous with advancing years.¹ Lovat asserts that he (the Duke) had never spent sixpence of his own in the Jacobite cause. But he was ready enough to ask for money to be expended in bribes. Two letters, dated March 22, 1703, were addressed to the Pope (Clement XI.), one by Mary of Modena, and the other by Louis of France, asking the assistance of His Holiness to bribe the Scots Parliament. A copy of a letter (undated and unsigned) from the Duke of Hamilton was enclosed, in which the Duke makes an urgent request ("*ne perdez pas un moment*") that Louis should send him £25,000 by some confidential person to

¹ Macky on Hamilton, pp. 112, 113.

buy votes. Louis told the Pope that he could not afford the money, owing to the numerous demands on his Exchequer. Obviously, Mary Beatrice could not find it—so would His Holiness kindly oblige? Hamilton, according to Louis, was a trustworthy man: “he has given time after time assurances of his zeal, and of his fidelity to the King his master.” Of course—and this was the point that concerned the Pope—the interests of Holy Church were bound up with those of the Queen-Regent and her son.¹

The Pope responded to the appeal of Louis by providing the money,² and we find Queen Mary writing to the Nuncio on April 23, 1703, thanking His Holiness for the great grace he has shown them, and stating that in two days she would send a man to Hamilton and the Bishops.³ The man alluded to must have been James Murray, who apparently had secret instructions in addition to the official letter. The distribution of the Pope’s money explains the partial success of Hamilton’s manœuvres in the Scottish Parliament before the House was prorogued in September, 1703. Queensberry cannot but have known of the traffic in votes—he must have been a heavy buyer himself on the other side—and doubtless believed that the money came from a French source. Hence the effusive welcome he gave to Lovat’s offers to get at the bottom of the mystery after his return to France. Probably Queensberry suspected the seceders from the Court party of having been bought by French gold distributed by Hamilton. There is some ground for the suspicion. James Murray’s report states that Arran (*i.e.* Hamilton) “used all imaginable means” to bring Atholl, Cromartie, and Seafield round to his views.⁴ Queensberry got

¹ Addl. MSS. 15398, ff. 229–233.

² Martin Haile’s James Francis Edward, the Old Chevalier, p. 63.

³ Addl. MSS. 20293, ff. 7, 8.

⁴ Macpherson, Original Papers, vol. i. p. 667. James Murray reported that Hamilton wanted £25,000 to balance the money to be spent by the Court to carry their measures. He proposed to take a share of this money for himself

nothing out of James Murray about the money, assuming that he saw him at all. It seems likely that James Murray informed upon Lovat, and Lovat informed upon James Murray, but that neither of them said a word about his own particular mission.

By this time all London was talking about a mysterious conspiracy, in connection with which names of prominent Scottish statesmen were freely mentioned. Nothing certain was known, except that Simon Fraser was playing the part of a villain. But where was Simon? "Cannot the person who knows where he is, be persuaded to let him be found?" writes Harley to Carstares, querulously.¹ Had they looked for him (during the latter part, at any rate, of his stay in London) in the house of one Thomas Clarke, an apothecary, in Watling Street, opposite St. Austin's Church (the site is now occupied by a warehouse) they would have found him. London was now getting too hot to hold Lovat. Robert Ferguson had informed upon him. On October 25, he sent an intermediary to Atholl, who was well acquainted with certain of Lovat's doings, the item of information that concerned Atholl most closely being that Queensberry designed to ruin him and his family by means of Fraser. Ferguson reported that the Commissioner had granted Fraser (an intercommuned rebel) money and protection while in Scotland, and that Fraser had been recently in London.²

to meet his future expenses, the remainder to be spent partly in augmenting and strengthening his party, and partly in purchasing arms (see Chap. XVII.). Murray arrived at St. Germain in February, 1704, so this must be an additional sum of £25,000, though the coincidence is rather striking.

¹ McCormick, Carstares, p. 719. Carstares wished that Lovat could be brought to speak to "the Treasurer and the Duke (Queensberry) together," little suspecting that Simon and the Duke had already met. "I am told," writes Carstares to Harley (November or December, 1703) "that little encouragement was given to produce him, though some at Court knew he was here" (Portland Papers, vol. viii. p. 314).

² Memorial to Queen Anne by the Duke of Atholl, January 18, 1704 (Addl. MSS. 27382, f. 99).

It may be assumed that Atholl left no stone unturned to trace the whereabouts of his old enemy, the effects of whose venom he was now about to feel. And yet, according to William Keith, Simon was at that very time most anxious to effect a reconciliation with Atholl through Keith's mediation!¹ If successful, he would have added one more string to his bow, and his relations with the different people whom he was using for his own purposes would have become still more complicated. But Keith, who was looking after an Under-Secretaryship, was not anxious to pose before Atholl as a friend of Simon Fraser.

While in London, Simon assumed the name of Captain John Seaton, and there are letters so addressed to him by one Duncan Johnson, of Edinburgh, and others. In one of these letters, Johnson asks Lovat to send him by Glendarruel one of his "old weegs," if he can spare it; and in another, he informs him of his belief that Leven had got a "call" to London; and that he had heard nothing from Lovat's friends in the North since he left. Later, he tells Simon that Leven desired him to say that his "call" had come, and that he would begin his journey in the following week; and adds the interesting news that he had heard on good authority that Simon's "grand enemy" had received notice of some conferences he had had with friends. He (Johnson) would like Simon to put his "great friends" in mind of the writer, for he is almost the oldest of his station in the regiment. There is a letter, too, from a "John Setton" (Seaton(?)) which may have suggested to Simon his adoption of that name for himself) informing Lovat of the despatch of his "malle" by a carrier who comes to the White Horse, Cripplegate. He had had the "malle" weighed, "and it ways seavanty-two pound."² This Seaton seems to have been the landlord of the Half

¹ Keith's declaration (Scottish Conspiracy).

² Addl. MSS. 31251 (Letters from "Setton").

Moon Inn in Durham, where Lovat doubtless stayed. The worthy Seaton sent the "humble sarvas" of his wife and "the rest of our nebour houd," which suggests that Simon must have made himself at home in Durham. He seems to have been "Hail, fellow ! well met !" with chance acquaintances everywhere.

This correspondence took place in November, 1703, and some of the letters must have missed Simon in London, for he fled from England on November 13. By Queensberry's help he had reached London in safety ; by the same means, he had now to be helped out of it. He had no difficulty in inducing the Minister to procure from the Earl of Nottingham, the English Secretary of State, a passport for himself and three companions to go to Holland. The names on the passport were all assumed, Simon choosing his favourite name of John Campbell, while his companions, Major Fraser, John Fraser (Simon's brother), and Lovat's page (also a Fraser) appeared as Munro, Dickenson, and Forbes.¹ The pass was handed to Glendaruel, described as "a pretty tall, thin, black gentleman," who gave it to Clarke, Lovat's landlord, to be delivered to Simon, Glendaruel thinking it better "not to take it myself, for fear of being missed." "My dear," he writes Lovat, "for God's sake, take care of yourself. The standing of your family is in your person, and (you must consider) the insupportable loss it would be to your friends if you should distress yourself with melancholy." He asks Simon to tell Queensberry, if he writes to him, that he (Glendaruel) had delivered the pass personally ; they are "so scrupulous" in these matters.² With Glendaruel (as his most trusted friend) Lovat left the picture of James (a miniature³ ?) which he prized so highly, his commission,

¹ Atholl's Memorial. Nottingham's declaration (Scottish Conspiracy).

² Addl. MSS. 31251 (Letters from Glendaruel).

³ The Chevalier seems to have distributed among his friends a number of these miniatures.

and certain papers relating to the Lovat estates. He left, also, several unsealed letters, one of them addressed to Breadalbane, offering him the command (by whose authority deponent sayeth not). Glendaruel burnt the letters after reading them, but gave up the other articles.¹ When Simon's lodgings were searched after he had made his escape, a silver box was found, in which was a commission, signed "J.R.," and addressed to Hamilton.² The genuineness of this commission, however, was doubted, and Hamilton seems to have suffered no injury by its production.

There were good reasons for Simon's hurried flight. For, on November 8, Sir John Maclean, with his wife, her sister, and his two children, had landed at Dover (or Folkestone), and surrendered to the authorities, desiring to be brought before Lord Nottingham to give an account of himself; he wrote, at the same time, to Nottingham and Cromartie telling them what he had done.³ His account was that he had left France because he was weary of the hardships he had endured. It was pointed out to him that he had delayed coming several months after Queen Anne's indemnity had been published, and had now arrived in such haste that he had brought his wife (who was just recovering from her accouchement) in an open fishing-boat of English nationality, which had been released by the order of the Court of France for the purpose of carrying him and his party across the Channel. Further, the indemnity applied to Scotland alone, and he was still liable to be tried for treason under the law of England.⁴

¹ Glendaruel's declaration (Scottish Conspiracy). Lovat was extremely annoyed with Glendaruel for giving up his property (Memoirs, p. 199). He says that Glendaruel took possession of eight horses and other property of the value of £300, left by Simon in his care (Memoirs, p. 196).

² Addl. MSS. 20311, f. 45 (Letter from Father Farrell to the Duke of Berwick, charging Lovat with being a spy of Queensberry's, and desiring, at Hamilton's request, that he should be arrested).

³ Scottish Conspiracy Papers, p. 6.

⁴ *Id.*, p. 6.

Maclean ought surely to have been aware of this fact ; if not, it says much for his ingenuousness.

Lovat knew Sir John Maclean from the crown of his head to the soles of his feet. He knew that he was a good-hearted, generous man, but quite lacking in backbone ; uxorious to a degree, and like putty in the hands of his wife. He knew that he was almost penniless, and had no prospect of a maintenance at home. To such a man, the temptation to act dishonourably, in order to save his sick wife and his family from privation, might prove irresistible, if the temptation were sufficiently strong, and the alternative sufficiently alarming. It was not a question of physical courage, but of moral strength of fibre, and Lovat must have made a shrewd guess that if Lady Maclean's welfare were in one scale, with Sir John's honour and Simon's safety in the other, the first would tilt the balance downwards. So it was time for him to be off. And subsequent events showed the soundness of his judgment. Probably he had ascertained, also, that among Maclean's fellow-passengers was the spy, Mrs. Fox, whose presence in England boded no good to him.

During the passage from Gravesend to Holland by a Dutch vessel called the *King William*, Lovat amused himself at the expense of a son of Mackenzie of Scatwell (Ross-shire), who was a young Oxford student going to Leyden to complete his studies. Simon entered into conversation with young Scatwell, and according to his own account, turned him inside out. "I plainly saw all his Intrals," is Lovat's way of putting it to Queensberry, in a letter from Rotterdam, dated November 29. He asked Scatwell if he knew Simon Fraser of Beaufort, and what was his opinion of him ? "A great fool," was the reply, "to take the advice of those who urged him to do illegal and extravagant things." "I think so, too," was the rejoinder. "He gave a whole discourse of myself," writes Lovat to Queensberry, "so that I was obliged to

set my patience and wit at work in entertaining a story of myself." Probably Simon heard a more candid opinion of himself during that passage than he had ever heard to his face before. He pretended to the Commissioner that young Scatwell, "who has no great sence," disclosed to him information about Cromartie and Atholl, which confirmed what he had told Queensberry. "If, after all this, the Great Person you have to do with does not believe it, I conclude they are infatuate, and that it is of no use to tell them anything, though never so plain." He ends the letter with a threat. "I do assure you," he tells Queensberry, "if I can, they will not Sir John Fenwick me. . . . If your Great Friend do not do me justice, I will not in any degree serve him further than I have done already, and I will endeavour to get myself redressed another way."¹ In other words, if Queen Anne declined to carry out the Minister's vague promises of a pardon and substantial rewards, he would take his wares to another market.

Some of his experiences in Rotterdam were of such a nature as to make him irritable, as he seems to have been when he wrote Queensberry. He chose his lodgings with great care, as if dreading discovery. At supper, he spoke against the new Duke of Argyll; he had probably found him less accommodating than his father. There was a clansman of Lovat's in Rotterdam, a wine merchant, who was unable to give him a private room, but could give him an excellent bottle of wine. To Fraser's, therefore, next day went Lovat and his companions, who included young Scatwell, to celebrate their safe arrival in a foreign country, and to drink a glass to auld Scotland. Among the company were a Scots merchant in Rotterdam named Abercromby, and an Aberdonian soldier of fortune named Munro, who had had the misfortune to kill an officer in his native country, and

¹ Scottish Conspiracy Papers, pp. 20, 21.

had consequently entered the French service. When toasts were proposed, Lovat willingly drank to Seaforth and Cromartie out of compliment to their clansman, Scatwell, but he refused to drink to Argyll. Scatwell, it may be added, afterwards denied having given information of any kind to Simon about Cromartie.¹

Lovat had now changed his name to John Smeaton, and his letters were to be addressed to the care of one Mr. Vincent Neerinx, a merchant in Rotterdam. He was again running short of cash, "that little devil," Corbusier, having forgotten to send a letter of advice about payment of a bill in his possession, for want of which he "cannot get a farthing." When writing to Corbusier himself, he excuses his negligence, and will not hear of his refunding the loss it has caused. "I don't value it," he says; "nor was money ever my master." Besides his money troubles, his health was indifferent, melancholia having again taken possession of him. Writing to Glendaruel on December 7, he says he is "very well, and I strive to recover from my melancholy every day. And I intreat and conjure you, as you love your soul, body, honour, and friends, strive against melancholy. For, if anything ruine me, it will be grief, so forsake it, my dear."² Four days later, writing to Clarke, he says he has endeavoured to banish his melancholy, but has a fever through drinking bad wine (not Fraser's surely). "I wish," he adds, "I was out of this unwholesome country." Certainly he did not like Holland. "I rather be hanged," he writes, "in any other country than dye in this." He has caught "a great cold," he tells Clarke, and is "afraid for the ague." He wants to know what is doing in the English Parliament; how the business of the King of Spain goes there; and what his physician

¹ Scatwell's narrative given by Nottingham (Conspiracy Papers, p. 25).

² Scottish Conspiracy Papers, pp. 30, 31.

has to say about his health, which he hopes a better air will recover.¹

According to Clarke's reply, the doctors hoped for a recovery by the assistance of "that air that you are going to"; but when his health has been fully restored, a return to "your owne native air" would be desirable. The hint had probably a political as well as a medical significance.

¹ Scottish Conspiracy Papers, pp. 31-33.

CHAPTER XV

IN a letter to Glendaruel (December 11?), whom he addresses as his "dearest of all cousins," Simon says he is confounded to know that Sir John Maclean is a prisoner. Apparently, however, he did not anticipate that Sir John would suffer a lengthy detention. "His only business," he writes, "is to give them fair words till he be in the Highlands, for I rather see him shot and damn'd than that he should do an ill thing." Glendaruel must not tell his half-brother what happened in Scotland, except "in fair generals," since he (Sir John) "knows nothing but what she (Lady Maclean) will know." He urges Glendaruel to keep Maclean "from engaging with either party if he can," but if he must take a side, let it be that of "our friends and not our enemies." "Let him consider not to lose fourteen years' service, and not be prepossessed with a pique, for he will never make anything by that means."¹

Lovat wrote to Maclean himself in a similar sense. He could not understand how Sir John came to throw himself in an open boat, and afterwards give himself up to the Government. His business was to have gone quietly home. "However, my dear, give them fair language"—in order to procure his liberty. "I rather see you buried than you should be guilty" of taking an ill step. He conjures his correspondent, "as he will be answerable to God and his honour," to keep firm to his master. He eulogizes Glendaruel (the bearer of the letter) as "the prettiest

¹ Scottish Conspiracy Papers, p. 32.

young fellow alive of the generation," and adds: "you are infatuate if you do not follow his advice, for he is brave and solid." The great thing to remember was that not a word of the "main business" should be revealed. "Take care," he writes, "for Christ's sake, that no condition may make you or your friends tell a word of the main business to anybody. Many things may be said that are true and probable, that may do you service without touching the main, which Torture should not oblige to discover . . . Remember your honour and our many resolutions. If you will stand by me, we will force our enemies to give us our own."¹

In another letter to Glendaruel, he asks him to give his service to his "great friend," Queensberry, and to Leven. "If this prevail, I hope they will remember me." But he is not concerned entirely with his own affairs. "For God's sake, my dear," he writes, "push your own affairs now briskly." He tells Glendaruel to put his "great friends" in mind, "that I would take their help to you as an act of friendship to you, and if they do not for you, I am sure I will never do for them, which will be loss to them" (he had already assured Queensberry verbally that he could trust Glendaruel in everything that concerned him). He is still fearful of what Sir John Maclean may be induced to tell his wife, "since he is fully bewitched by that woman," and cautions Glendaruel about disclosing their secrets, for "your brother will tell her all—and there it goes." He holds out hope of his correspondent seeing him next summer, "if I am alive in health, and then I'll do or dye upon the head of it. But I doubt not of doing great and glorious things if I keep my health." He hopes to see Glendaruel enjoy "a great reputation and a plentiful estate," and concludes with the assurance that he is "the creature in the world I love most."²

¹ Scottish Conspiracy Papers, p. 32.

² *Id.*, p. 33.

In a letter to "Walter Corbet" (Captain Neil Macleod) of December 14, he offers to recommend a mutual friend (Charles Mackinnon) to Queensberry and Leven, and on December 17, he writes Fraser of Culduthel that "if we both live a year, you will see me the greatest Lord Lovat that ever was. I am so already out of my country, and I hope to be so in my country very shortly."¹ He sends Culduthel, and charges him to show to those concerned, a letter addressed to the "Honourable all the gentlemen of the name of Fraser of the Lord Lovat's family," urging upon them the folly of disunion, hoping they will join with him in keeping out their enemies, and in preserving his family and their own name and kindred, and threatening with punishment those who refuse to obey his orders. "I can assure you," he asserts, "I shall have power to do it, and be fit sides with all my enemies if I live a few months."² Similarly, he writes to Tom Fraser, urging him to "do gallant things, and do not fear to see me very soon."³ In a letter to "Smith" (William Keith), whom he calls his "most dear friend," he refers to "this confounded, dangerous journey" in front of him, and asks him to see Sir John Maclean, and conjure him "to do brave, just things."⁴ His letter to "Ralphson" (Robert Ferguson) is written in a different strain. He promises to do him "all the justice imaginable with our general and superior officers," and advises him not to be deluded by the pretences of those who wished only to serve their own interests. What his language would have been had he known that Ferguson had informed upon him to Atholl, can only be conjectured!

Alas! for the fidelity of Simon's friends. Before the month was out, every one of his correspondents (with the exception of his landlord, Clarke) had betrayed him. Clarke was arrested when Simon's lodgings were searched,

¹ Scottish Conspiracy Papers, pp. 33, 34.

² *Id.*, pp. 34, 35.

³ *Id.*, p. 35.

⁴ *Id.*, p. 35.

but nothing could be got out of him. He is described by Father Farrell to the Duke of Berwick as "a very honest man"; and so he seems to have been. He was, in fact, too honest for the company he had been keeping of late—it would have been better for him had he stuck to his pestle, instead of meddling with Jacobite plots. When Ferguson on one occasion told Glendaruel that Lovat would be sent to the Bastille for his treachery ("notice would be there before him"), Clarke, who was present, declared that if Simon was perfidious, he would never trust any man again. When informing Lovat of Clarke's arrest and examination by Nottingham, Glendaruel stated that his (Simon's) affairs were "the topic of conversation," and that his friends were prejudiced; obviously he was beginning to feel uneasy for himself. "You are the common subject of discourses in this place," he tells Lovat;¹ to which it may be added that the remarks made about him were of a decidedly uncomplimentary character.

Sir John Maclean was the first of the batch to make disclosures to the Government; and it was not long before the others found themselves faced with unpleasant alternatives. Not one of them was cast in a heroic mould. Maclean seems to have held out for some time against the methods of persuasion which were employed, but ultimately he found himself unable to resist the pressure brought to bear upon him. The Ministers were forced by public opinion, if for no other reason, to take steps to probe the supposed conspiracy to the bottom, and Sir John Maclean was the most important witness at their disposal. He was compelled to choose between pardon, protection, and a pension on the one hand, and, on the other hand, death for high treason, if convicted, and poverty if he escaped death. One choice implied moral disgrace for himself, and the other physical and mental suffering for his beloved wife. It was a painful dilemma

¹ Addl. MSS. 31251 (Letters from Glendaruel).

for a man of honour. The temptation to take the easier way was strong, and Sir John succumbed to it—as Lovat thought he would. Thus it came to pass that the man who, a few months previously, swore (in four languages) eternal friendship for Simon Fraser, now sold him to save his wife. Had he been a bachelor, he might have stood firm. But he had the grace to be thoroughly ashamed of himself. He stipulated that he should be treated “like a gentleman” by being permitted to give his evidence in private, for he had no desire to appear in public against any man.¹ A fine distinction truly, but Sir John was endeavouring to shield himself, as far as possible, from deserved obloquy. Probably he tried to comfort himself in his shame with the reflection that his quondam friend was beyond the reach of his foes, and could not be injured by his revelations. And, after all, his disclosures did little or no harm to Lovat. But St. Germain? Well, he was embittered against St. Germain, and was not bound to its interests by the ties of gratitude, though he might well have remembered that Mary Beatrice had got him 2000 livres from Versailles before he left France.² He was far from being a master of evasion, like Simon, and his “discovery” bears the stamp of truth. He could not, if he had tried, have spoken in “fair generals” (as Simon counselled him to do) while concealing “the main business.” What Lovat meant by the “main business” can only be conjectured; the allusion may be to the provisional plans formed in France for the invasion of Scotland. Simon himself managed to keep his own “main business” a strict secret from Queensberry, while “amusing” the Minister (and himself) with a mixture of truth and fiction. Maclean knew nothing, or, if he knew, said nothing, about Lovat’s doings in Scotland. Incidentally, he made the interesting statement that his own instructions were to

¹ Sir John Maclean’s “Discovery” (Scottish Conspiracy).

² *Id.*

sound Hamilton, Atholl, and the Earl Marischal (Perth's son-in-law), and that he was specially charged by Queen Mary to do his best to reconcile Atholl and Lovat, for it would be doing her "a great service."¹ The information elicited by Nottingham from Maclean was supplemented later, by the fuller disclosures which he made to the Special Committee appointed by the House of Lords to inquire into the conspiracy. The appointment of this Committee raised a nice constitutional question, the Commons resenting the interference of the Lords as an infringement of the Queen's prerogative. There were wheels within wheels in grinding out the material for the prosecution of the guilty. Nottingham was under suspicion as a Jacobite sympathizer, and Queen Anne herself was probably not too anxious to probe the conspiracy too deeply. But Atholl and the others implicated were compelled to clear themselves from the charges brought against them, and the information in their possession enabled them, as they thought, to checkmate Queensberry effectively. The disclosures of the other informers were of relatively less importance to the Government than those of Maclean. Ferguson seems to have got most of his information from Clarke, whose simple nature was not proof against the artful advances of the old plotter. In suitable company, Ferguson professed to be as ardent a Jacobite as the best of them. According to Ferguson, Simon Fraser told him that he had spoken to Breadalbane, Lochiel, and others, "whose stiles, being more uncouth to me than Arabick, I have forgot."² The paper containing Ferguson's information gave great offence to the Lords' Committee; they called it a "scandalous paper," and they directed the Attorney-General to prosecute him. He was a skilled political pamphleteer, and the freeness, not to say the levity, with which he expressed himself was considered disrespectful

¹ Sir John Maclean's "Discovery" (Scottish Conspiracy).

² Ferguson's declaration (Scottish Conspiracy).

to "my lords," who were not going to allow an adventurer like Ferguson to address them as if he were the paragraphist of a "smart" journal. Moreover—and this was no doubt the head and front of his offending—his excursion into high politics was probably far from being palatable to them.

The details of Simon's doings in England and Scotland were supplied by Glendaruel, Keith, and Macleod, all of whom were coerced into their confessions, the two former by the threat to send them to Scotland for trial, where they would have fared badly. The evidence of David Lindsay, Middleton's Under-Secretary, and of Patrick Oliphant, a soldier of fortune, was of less importance. Lindsay afterwards showed that he was made of good stuff by refusing to be intimidated into giving false information, even to save his life. Glendaruel, Lovat's "dearest of all cousins," declared, "I would to God I had never seen him."¹ Altogether, Glendaruel cuts a despicable figure in the business. He cringed before his questioners, professing to be sincerely repentant of his connection with the man who had given him his full and unreserved confidence. And as a sign of his repentance, he told everything. It is not surprising that Simon, on learning the truth, should have called him "this unnatural monster, this perfidious traitor, this execrable villain,"² who had betrayed him. The epithets he bestows upon Sir John Maclean are "the most contemptible of cowards," and "the most worthless of the human race;"³ a distinction which appears to imply that while Glendaruel was in his view an abandoned traitor, his half-brother was a mere fool. He has no hard names for Keith, who, it may be said, used strong language about Simon—calling him a "monster," whose "insatiable malice" had been the cause of "all this villainy and

¹ Glendaruel's declaration (Scottish Conspiracy).

² *Memoirs*, p. 195.

³ *Id.*, pp. 194, 195.

contrivance"¹—but was commendably reticent about essentials. His story was that Simon had forced himself upon his presence, desiring him to intercede for him with Atholl, and that he was unable to shake off the persistent suppliant. One would suppose, from his evidence, that Lovat was some chance and unwelcome visitor, who pestered him with his requests, and refused to take "no" for an answer. The facts, as we know them, were very different. But Keith, seeing the game was up, made a virtue of a necessity, and tried to give his preliminary statements to Atholl and Nottingham the air of a voluntary confession. He was a good actor, and his assumption of virtuous indignation against Simon seems for a time to have successfully covered his withholding of really material information. But he succumbed later on, either to threats or the promise of reward, and confessed that he had been made acquainted with Simon's transactions. Not only so, but he undertook to induce his uncle, John Murray, to come forward and discover all he knew; yet he pretended that the only scheme that was afoot was to arrange matters so that the Chevalier should reign after Queen Anne.²

Keith's promise to procure his uncle as an informer proved illusory; it may have been given merely to "amuse" the Lords and the Ministry (he seems to have been an apt pupil of Simon's), or John Murray was too honest a man to be unfaithful to his trust. As Burnet says, "Keith's design to bring in his uncle was "managed ruinously;" and it was generally believed that there was no earnest desire for it to succeed."³ This is probably correct; for more than one highly-placed person was anxious that the whole thing should be hushed up. A searching investigation into the correspondence between

¹ Keith's declaration (Scottish Conspiracy).

² *Id.*

³ Burnet, p. 132.

St. Germain and its British sympathizers might have had unpleasant consequences for some of them. From the women no information could be extracted. Lady Maclean had nothing to say; and Mrs. Fox—an adept in what Simon would call “speaking in fair generals”—was of course (on her own showing) entirely innocent of political designs, having come over to England on purely private business.¹ Sir John Maclean stated in his evidence that he tried to draw Mrs. Fox, “she being vain and passionate,” but failed in the attempt. That she was sent over by Middleton cannot well be doubted.

The Lords’ Committee, finding it useless to wait for John Murray’s evidence, proceeded to draw up their Report, the Lord Advocate in the meantime ordering the arrest of the Lochiels, father and son, and Appin, and that search be made for the two Murrays and Major Fraser.² The report was utterly inconclusive in one sense, because, although the existence of a dangerous conspiracy was admitted, the evidence was of too vague a nature to warrant proceedings being taken against any person. Meanwhile, Atholl had adopted energetic measures to prove to the Queen his innocence of the charges made against him. He carried the war into the enemy’s camp by striving to show that Queensberry had committed a gross breach of duty by assisting Lovat, instead of arresting him, and by employing him to ruin faithful subjects of Her Majesty, such as himself.³ Although his innocence was acknowledged, he deemed it advisable to resign his office as Lord Privy Seal, in order that no shadow of suspicion should attach to a Minister of the Crown. Against Queensberry there was a strong feeling, in Scotland more particularly, as being the prime mover in a plot designed to trap his political opponents. The

¹ Statement by Mrs. Fox (Scottish Conspiracy).

² Scottish Conspiracy Papers, p. 23.

³ Addl. MSS. 27382, f. 99. Atholl’s memorial to Queen Anne.

ridiculous situation in which he had placed himself led to his resignation as High Commissioner, the Marquis of Tweeddale receiving that appointment, while Cromartie attained his ambition of being sole Secretary for Scotland. But Queensberry was too useful a Minister to remain long in the cold shade of neglect; and his re-appointment, soon afterwards, to the management of affairs in Scotland under the title of Lord Privy Seal, testified to the dependence placed upon him by the Court as a parliamentary tactician of rare ability.

The results that flowed from the investigation of the Scottish Conspiracy were of a far-reaching character. A rider to the Lords' Report attributed the existence of the plot, to the encouragement derived from the non-settlement of the succession to the Crown of Scotland in the House of Hanover. This conviction, which was plainly justifiable, provided a strong incentive to push forward the scheme of Union between the two countries, and it ultimately contributed, in no small measure, to the successful accomplishment of that object.

CHAPTER XVI

UNAWARE of the revelations that were being brought to light about his doings, Lovat was making preparations to reach the French army in Flanders. He found it extremely difficult to obtain the necessary passport from the Hague, owing to the strictness of the regulations; and on attempting to procure the document, he narrowly escaped arrest. Realizing his danger, he left hurriedly for the frontier, accompanied by his brother and Major Fraser. His friendship with Robert Ferguson in London now stood him in good stead. For the old plotter had given him a letter of introduction to his brother, Major-General Ferguson, who was in command of the troops at Bois-le-duc; and to Bois-le-duc the party, disguised as Dutch officers, accordingly went. General Ferguson, a Jacobite at heart, received Simon hospitably, and told him of a secret traffic in military secrets between the secretaries of M. Chamillart, the French Minister for War, and the Dutch Governor of the Bois-le-duc garrison. Subsequently, Simon turned this information to good account by communicating it to Versailles through Marshal Villeroy. But in the meantime, notwithstanding Ferguson's friendship, his own peril was by no means past. The garrison was composed of two Scottish regiments in the Dutch service—those of Orkney and Murray—some officers of which, who were friends of Atholl, soon discovered his presence. There were about a hundred Frasers in these regiments, two of whom recognized their chief, and the

whole body of the clansmen subsequently visited Lovat's lodging and offered to follow him wherever he went. Genuinely touched by the fidelity of these poor fellows, and alarmed for their safety as well as his own, Lovat warned them of their danger, and ordered them to return to their duty. But the story got abroad that he had come to Bois-le-duc with the object of tampering with the garrison, and Ferguson advised him to consult his own safety by setting out for Antwerp without delay. It was no easy matter to escape detection, and it was only by means of money and the fertility of Lovat's resource that he managed to reach his destination.

A Catholic postilion agreed, for a payment of a hundred louis d'ors, to provide three saddle horses and a cart to convey the party. Simon disguised himself as a carter, and his two companions as poor peasants of the country. Behold, therefore, the great Lord Lovat driving his little cart out of the town and passing in safety the numerous sentinels! Lovat, his brother, and the postilion met outside the town at an appointed rendezvous, but Major Fraser and Simon's page missed their way, and rejoined the others only after their arrival at Antwerp. When about half-way on the road, Lovat and his companions almost blundered into a party of fifty or sixty men. The darkness of the night favoured their escape across the heath, but a threat to blow out the brains of the trembling postilion was found necessary to sustain his courage and save the three from capture. With difficulty they regained the road, and with the assistance of a peasant, at length reached their destination, on 23rd December, where Lovat was warmly welcomed by Villeroy. On his arrival, he wrote to Gualterio charging him to let Versailles and St. Germain know that he was on the road "with good news."¹ After spending a few days at Antwerp

¹ Memoirs, pp. 227-238; Macpherson's Original Papers, vol. i. p. 649. Addl. MSS. 31252, ff. 101-104.

and Brussels, Simon and his companions set out for Paris, where he arrived early in January, 1704. He was not (as our histories would have us believe) immediately clapped into the Bastille by Louis as a detected traitor. On the contrary, he was at first welcomed by St. Germain and Versailles alike, as a distinguished servant who had performed an arduous duty with faithfulness and prudence. For some months his fate lay in the balance; honours and fresh employment seemed quite as probable as dismissal and disgrace. The story of his secret contest with Middleton, who was the cause of his ruin, is an instructive study in dissimulation and intrigue.

On 3rd January, Lovat, still unaware of the disclosures being made in England, wrote to Clarke, his London landlord, announcing his arrival in Paris, and sending letters for Keith, Captain Macleod, and Glendaruel; his letter to the last-named enclosing a note for the Earl of Leven. He informed his friends that he was ill, but triumphant. "I have not yet seen the great folks," he tells Glendaruel, "only heard from them." He hopes Leven will help Glendaruel to get from Queensberry the £100 he was obliged to borrow. "Tell my great friend" (Queensberry), he says, "that I will do effectually what I promised for him." "I am greater here than ever," he writes Leven, "so that you may assure your friend" (Queensberry) "that I will do what he asked of me very effectually. Those people" (Hamilton, Atholl, and Cromartie) "carry on things here just as I told him, and that great Person he serves" (Queen Anne) "is much infatuate to trust them. I hope you will not forget me nor let your friend forget me." He informs Keith that "your nephew" (should be "uncle," *i.e.* John Murray) "is impatiently expected, so send him this, by which I conjure him to make no delay. . . ." He promises Glendaruel that he will be back "before the spring is past," but is less

confident in writing Macleod, "I cannot tell," he says, "how long I may stay here."¹

On the same date (3rd January), Queen Mary wrote the following letter to Simon from St. Germain:—

"I was extremely glad to hear that you were com safe to Paris, but am sorry to find by Mr Fraizer and by your owne letter that you are ill in your health. I hope rest and care will restore it to you again and enable you to come hither, for the King and I are very impatient to hear from yourself an account of your journey and of all you have don since you left us, and yett mor to thank you for the great zeale you have shewed for his service and the dangers you have run to serve him. I do assure you wee are more sensible of it than I can expresse it to you, but the King, I hope, will live to shew it you.

"MARIA R."²

On the following day (4th January), Middleton warmly welcomed Lovat back, telling him that

"the Nuncio that seekes all occasions of oblidging his servants, judg'd well that he could not give me more satisfaction than by telling me of y^r safe arrival, after y^e apprehensions I had from y^e malice of our ennemies. I hope you'll take care of y^r health, which is so necessary for our master's service, and be assur'd that none can have a more gratefull sense of y^r fav^{rs} nor a greater hon^r for y^r merit than Y^r Lops most obedient humble serv^t,

"MIDDLETON"³

It cannot be denied, in face of these letters, that Lovat had every justification for the belief that his position at

¹ Scottish Conspiracy Papers, pp. 36, 37.

² Addl. MSS. 31249, f. 31. Cf. *Memoirs*, p. 242.

³ Addl. MSS. 31251 (Letters from Middleton).

St. Germain was now secure. The letter from the Queen-Regent, especially, must have gratified him exceedingly. The pretence of procuring information for Queensberry had to be kept up until circumstances should determine his future course of action. The Commissioner might be persuaded to pay some of his debts, and his friendship would always be worth retaining. But there is absolutely nothing to show that it was ever proposed, either by him or by Queensberry, that he should supply information on any matters other than those relating to the three noblemen whom he had accused of trafficking with St. Germain. And as he must have known perfectly well, so long as the direction of affairs at St. Germain remained with Middleton, the secrets of that Court would not be revealed to him, and confidential correspondence was not likely to fall into his hands. But in the meantime it would be easy enough to "amuse" the Commissioner until the time came—either to take service with the British Government openly, or, what was much more likely, to tell Queensberry that he had been the victim of a huge Lovatic joke. "Stratagem is lawful in an enemy." Such, forty years later, was Simon's own summing up of his dealings with the High Commissioner.

In a memorial submitted to Queen Mary, giving an account of his journey to Scotland and its results, Lovat makes no attempt to conceal the fact that communications had passed between him and Queensberry, who, he says, has always been his "good friend," and was so anxious to secure his services for the British Government that he offered him a pardon, the restoration of his estates, the payment of his debts, a regiment, and a good pension, if he would come over. Of course (Lovat says) he refused these offers, but he was compelled to give the Commissioner "very fair language," in order to get a pass to London. And (he goes on to say) he told Queensberry in London that, after reporting on his mission in France,

he would come back and accept his offers.¹ Incidentally, he charged James Murray with having informed upon him and John Murray.

Simon's memorial was submitted to the Queen-Regent, and he awaited the result with some anxiety. He desired Middleton, on January 15, to ask the Queen whether she was pleased with it, and whether it would be desirable to make any alterations before submitting a copy to the French Court. He hoped that Middleton would be as good as his word in befriending him. Middleton's reply, on the same date, bade him deal "candidly and sincerely" with Versailles. "It were unfitt," he says, "to conceal any part or circumstance of one's case from a physician."

By this time Lovat was on his guard against Middleton, who, he had been assured, was (with Berwick) his deadly enemy, and whose influence at St. Germain, he was well aware, would ruin his projects unless his friends bestirred themselves.² Letters from England now commenced to arrive at St. Germain containing references to Simon, which, as Mary Beatrice reported to the Nuncio, were not only dubious, "but to his positive disadvantage." She was anxious, therefore, to see him, but would suspend her judgment until the arrival of "two men" (the Murrays, no doubt) "whom I expect." Meantime she would not "open herself" too much to Lovat, and she suggested that the Nuncio should act with similar reserve.³ Particulars of the "Scottish Conspiracy" were also being received at St. Germain, including the report that Lovat had been employed by Queensberry to trap some of the Nationalists, especially Atholl.

In the meantime, Lovat's memorial to Mary Beatrice was the subject of a communication from Middleton to

¹ Macpherson, *Original Papers*, vol. i. p. 648.

² Addl. MSS. 31251 (Letters from Middleton). Addl. MSS. 31252, f. 105.

³ Addl. MSS. 20293, f. 11.

Torcy, dated January 16. "Although you know I never had a good opinion of him" (Lovat), he writes the French Minister, "yet I did not believe him fool enough to accuse himself. . . . He has not, in some places, been as careful as authors of romance to preserve probability." It is (he says) "as clear as daylight," that Queensberry, Leven, and Argyll wanted to employ Lovat in France as a spy. And, foreseeing that James Murray's report about him would be unfavourable, he tried to forestall him. "If the King (Louis) thinks proper to arrest him, it should be done without noise. His name should not be mentioned any more, and at the same time all his papers should be seized." Two days later (January 18) Middleton again wrote to Torcy, sending him a list of questions, artfully framed, to trap Lovat into incriminating answers. Also, he suggested that Simon's brother, John, who was with him, should be arrested, "even though he should not be guilty, to prevent him making a noise." And on January 20, he sent Lovat's report to the Nuncio, accompanied by a similar list of questions.¹

All this time, Middleton was corresponding with Lovat, and professing to be his friend. On January 19, Simon told him that he had been very ill, and that it added to his distemper (he was suffering from gravel) to hear that the Queen had been giving heed to "the frivolous suggestions" of his enemies. He complained of the want of gratitude for the services he had performed. "I believe," he says, "Loyalty is a Rock that none in Brittan who hears my story will hereafter split upon." He compared the services of his family to the Stuarts with those of the Atholl family, plainly hinting that he was being sacrificed in order to please the Murrays.² Writing on January 23, Middleton informed him that he had shown his letter to the Queen, whose answer was that three days previously

¹ Macpherson, *Original Papers*, vol. i. pp. 652, 653.

² *Id.*, vol. i. pp. 653, 654.

she had seen one of the same date and to the same purpose, and had already replied to it. "Thus," continues Middleton, "tho' an uselesse Toole, I would not faile in answering your letter, being resolved never to faile in paying your lordship that respect which is due to you."¹ On January 25, Lovat again complained to Middleton of the attitude of Mary Beatrice. He was daily informed that the Queen had "but a scurvy opinion" of him. His enemies having more power with her than he possessed, he was determined to meddle no more with any affairs until the King came of age. An undated letter from Middleton to Lovat, which appears to have been written about this time, expressed that Minister's surprise to find, by a letter from Simon to "a lady," that "you had any jealousy of me," but he is not aware of having given any occasion for it. "But when it is explained, I am sure I shall be able to satisfye y^r Lo^p of my sincerity, being sollicitous in nothing more than your service, and advancing y^r hon^r and intrest to y^e utmost of my powr, ther being nobody hon^{rs} you more than," etc., etc.² It is not surprising that Simon, writing on February 5, stated that he was "very much overjoyed" to find that the Minister continued to be his "good friend." He hoped to stay in France till "I confound my calumniators and have satisfaction of them," when they (the Queen and her son) would perhaps give leave to "a man that is suspected as a knave, to retire himself."³

¹ Addl. MSS. 31251 (Letters from Middleton). In this letter Middleton uses the words: "I saw that was enough and withdrew. In Biscoe's "Earls of Middleton" (p. 273), the author (who cannot surely have seen the MS.) quotes them as "I *said* that was enough and withdrew." On the face of it, this was a disrespectful manner of addressing the Queen. But Biscoe lingers admiringly over the dignified effectiveness of the remark, as a rebuke to the Queen for an imaginary slight which she had cast upon her Minister! Incidentally, he employs it as a bludgeon with which to belabour Lovat! It is a curious instance of an author being led completely astray by a mistake over a word. Miss Strickland ("Lives" (1852), vol. vi. p. 470) makes the same mistake.

² *Id.*

³ Macpherson, Original Papers, vol. i. p. 656.

So much for Middleton's professions of friendship! According to a recent book, he was "one of the best and most faithful gentlemen who ever served a king."¹ Doubtless he was a faithful servant of James, but towards Lovat he was an arrant hypocrite. And hypocrisy does not form part of the necessary equipment of a "gentleman." Middleton was doing his best to ruin Lovat, then lying on a bed of sickness, while pretending to be his friend. It was surely the more manly and honourable course to tell him of the accusations against him and invite his reply, instead of working secretly to discredit him at St. Germain and Versailles, without giving him an opportunity of defending himself. But Middleton welcomed the chance of sweeping Lovat from his path once for all, and the indecent eagerness which he displayed in urging the French Government to arrest him, shows that he was ready to seize any weapon that came to his hand to achieve his object. He told Torcy that Lovat had communicated "the whole of his commission" to Argyll, Leven, and Queensberry (a statement for which he produced not a shadow of proof), adding suggestively, "which is a crime that deserves hanging in any country."

Lovat's account of his transactions with Queensberry was apparently an ingenuous admission of truckling with St. Germain's enemies. Plainly, Middleton was puzzled to know what to make of it; he did not believe him "fool enough to accuse himself." But the admission was really more ingenious than ingenuous. For Simon, apparently, did not doubt that the reason he assigned for deceiving the Commissioner would justify his action in the eyes of St. Germain and Versailles, while his candour would vouch for his good faith. And in the event of the news reaching France of his dealings with Queensberry—not an improbable contingency, as he must have foreseen—his position would be immeasurably strengthened by his voluntary

¹ The King Over the Water (p. 39), by Alice Shield and Andrew Lang.

admission, which would thus take the wind out of his adversaries' sails. He was well aware that, in spite of Middleton's statement to Torcy, it was impossible to prove that he had betrayed the interests of France in respect of his mission to the clans; and he reckoned, no doubt, upon receiving the support of Versailles if he had trouble with St. Germain. Louis and his advisers were not specially concerned with the only matter upon which he had engaged to supply the Commissioner with information.

For some time, the issue of the accusations against him was in doubt. He himself attributes his final discomfiture to his illness; and unquestionably his illness was a serious handicap. But he was not without his friends, both at St. Germain and Versailles. The Duke of Perth and his son, Lord John Drummond, believed in him, and the Nuncio, with Torcy and Callières, remained unconvinced of his guilt. He had brought with him letters from Stewart of Appin, John Murray, and Lord Drummond, which were of considerable assistance in maintaining his reputation. Appin assured the Queen that the Highlanders were "ready and willing" to rise if they were put "in any condition to appear effectually," and he hoped that Her Majesty would "push affaires as soon as possible. . . . The King's affaires were never so ripe either in the Highlands or Low country." Simon's right to treat for the Highlanders was clearly stated by Appin, but he did not name the chiefs who had authorized him to write the letter. "We intrust," he says, "my Lord Lovat to ask and promise in our behalf what would be necessary for us and what we can do." John Murray's testimony to Simon's good faith was unequivocal, as may be seen by the following extract from his letter: "Having soe worthy a servant of your Majesty as my Lord Lowat to be the bearer, who hath given mee since I came hear demonstrations of his zeal and capacitie to serve your Maj: in this country, I need not trouble your Maj: with ane account of

what has past, since the bearer cane doe it fully, being sent back by y^e King's friends."

In addition to the letters to Queen Mary, Appin, Murray, and Drummond each addressed a letter to the Nuncio, thanking him for the interest he had taken in Lovat's affairs. Appin hoped that he would back up Simon at St. Germain and Versailles, "and wee humbly beg your Excellence protectione to him." There was also a letter from Appin to Torcy, assuring him, in the name of the Highlanders, that they were overjoyed to hear of the intention of His Most Christian Majesty to assist them to restore the King, according to the assurance of "the bearer, the Lord Lovat, who is one of y^e considerable chiefs of y^e Highlanders," and whom they had again sent to assure the King of France, "as well as our own King," that when they received assistance, they would engage . . . "to restore our King, or to be usefull" to Louis. He offered to go to the Court "from all y^e Highlanders" (though he had never been abroad) to confirm what Lovat might promise on their behalf.¹

Simon's hand is plainly discernible in this correspondence. There is an interesting sequel to it.

¹ Addl. MSS. 31249 (Letters from Appin, Murray, and Lord Drummond).

CHAPTER XVII

THE letters brought by Lovat from Scotland clearly rebutted Middleton's accusation that Simon had proved unfaithful to his mission, which, after all, was the question that concerned the French Court. Major (or Captain) George Fraser spoke up manfully on behalf of his chief. In a memorial, dated February 6, which was obviously intended to influence Versailles in Simon's favour, he emphasized "how zealous and faithful a Frenchman my Lord Lovat is" (he himself was a major in the Franco-Irish regiment of Bourke), and "how courageously and vigorously he went thro' all the Low country as well as the Highlands to invite and dispose the people to rise in arms."¹ On February 9, Lovat addressed a lengthy letter to the Duke of Perth, lamenting that he was made very black to his best friends in France by the Court of St. Germain. He recapitulated his services to the Stuart dynasty, making special reference to the part he played at the age of nineteen in the attempt by Lord Drummond to surprise Edinburgh Castle, and to the personal sacrifices he had since made in the same cause. "All the return

¹ Correspondence of Hooke, vol. i. p. 85. The services performed by Lovat in the Low Country are purely imaginary, so far as the evidence shows. Major Fraser had difficulty in getting any payment for his services when he returned to France from Scotland. Queen Mary, while denying responsibility, was willing to help him; "but the month's monye being out, and the next month not very near, she had it not at present." Thus wrote Perth to Lovat, adding: "For my own part, I cannot comand at present a louis d'or." Truly, St. Germain was an impoverished Court. (Addl. MSS. 31253, ff. 31, 32.)

I get for this is that I am treated lik a doge, like villain and traier" (*sic*). Boasting of his power over the Highlanders, he assured Perth that if he had told them how he had been treated, "they would fight for the Turk sooner than for a King and Queen that would be advised by those who maltreat them." For, last year he was called "a villain and ane imposture, and the Highlanders theives and robbers and good-for-nothing els, but they make themselves the streanth of the kingdom." All this was clearly aimed at Perth's rival, Middleton, the head of the "English party," concerning whom he says, "I dare boldly affirm that Jesus Christ will come in the clouds before an Inglis people or party call home the King." Alluding to the charges made against him, he argued that they were palpably absurd, for he had it in his power to have all his confederates in Scotland hanged had he wished to betray them. He was specially concerned that Queen Mary should restore his reputation at the French Court. Obviously, he cared little for what was said of him at St. Germain if he retained the friendship of Versailles. He had forced his brother, he said, to come to France to be bred a Catholic, he himself being a "sincer" son of the Church. With good reason, he desired that the Queen should not believe his accusers without proof or trial. "I rather she should order me to be broke upon the wheell than suffer my reputation to be torn to pieces."¹

The true reason why his brother accompanied him to France was that he had made Scotland too hot to hold him. Accompanied by a band of "loose and broken men," he had terrorized the Aird and Stratherrick districts, intimidating the tenantry from paying their rents

¹ Correspondence of Hooke, vol. i. pp. 85-90. Perth gave a warm welcome to Simon on his return, and hoped he would have good health for his own sake and the King's, and, above all, "for the interest of the Catholique religion" (Addl. MSS. 31253, f. 27). Lovat's championship (in France) of the "Catholique religion" was a trump card which he frequently played with great effect.

to the dowager Lady Lovat and her daughter, burning the houses of their agents, and capturing a small party of Grants sent to restore order.¹ The Privy Council had to intervene, and John Fraser was only too ready to place himself at the disposal of his brother Simon when the latter came to Scotland.

It is evident that Versailles took Lovat seriously, and accepted in good faith his assurances and those of his friends who had charged him with their messages. Preparations were actually set on foot to give effect to the Scottish recommendations, and Simon's star appeared to be once more in the ascendant. One of the most active participators in the arrangement was Colonel Nathaniel Hooke, who proved a staunch friend to Lovat. Hooke was the son of a Drogheda merchant and was bred a Puritan. He joined Argyll in Holland and subsequently became the chaplain of Monmouth, with whom he landed at Lyme. Becoming a Catholic, he espoused the cause of James II., and served under Dundee in Scotland. He was captured at Chester and sent to the Tower. He remained a faithful Jacobite, and fought at the Battle of the Boyne, afterwards seeking refuge in France, where he was presented with a regiment. In January, 1703, he was made colonel of the Swedish regiment of Count Sparre, and served in Flanders and Moselle. From his experience with Dundee, he was in a better position to gauge the situation in Scotland than his French colleagues, and, being a man who appears to have been scrupulously honest and absolutely trustworthy, his opinions carried weight at Versailles. Although at first reserved towards Hooke, it was not long before Lovat recognized his sterling qualities and his usefulness as a friend. With Torcy unconvinced by Middleton, the Nuncio (whose influence at Versailles was considerable) still willing to befriend him, and Colonel Hooke working to promote his

¹ Chambers' *Domestic Annals of Scotland*, pp. 254-6.

views, all seemed to be going well. Writing to Hooke on February 11, Lovat desired him to point out to the Nuncio certain weighty reasons why Major Fraser should be sent back to Scotland. Callières had asked him (Lovat) to press the Nuncio, who would persuade Torcy of the necessity of sending this officer. The latter had prepared a list of reasons for his proposed visit, the two outstanding objects being to corroborate Lovat's report to the satisfaction of Versailles, and to prepare the Scottish Jacobites for the active co-operation of Louis. That Simon's exclusion from a French invasion of Scotland was not contemplated, is shown by the suggestion that Major Fraser should be empowered to tell the "leading men" in what month they were to expect Lord Lovat with assistance from France.¹ Once more, Simon's hand is plainly traceable in the preparation of this memorial.

It is hardly necessary to say that he himself was a particularly active memorialist at this juncture in his affairs. The memorials were carefully drafted (the drafts may still be seen), for they were intended to influence the policy of Versailles. As appeals to the prejudices and the interests of Louis, they were worded with consummate skill, and sly hints at Simon's personal enemies were cleverly interwoven with the text. France and Scotland, he argued, must make common cause against the common enemy, England. Middleton, "a man always attached to England," and the Duke of Berwick, also a pro-Englander, dominated St. Germain, and prejudiced Queen Mary against her best friends. The English faction at St. Germain—"ane uncertain trimming party," as Lovat described them to Mary Beatrice—knew that the interests of Scotland and France were so closely identified that in the event of a Restoration, the ruin of England was inevitable. Hence they were opposed to the co-operation of France and Scotland, and their emissary, James Murray,

¹ Correspondence of Hooke, vol. i. pp. 90-92.

had striven when in Scotland to show that Lovat and John Murray were the tools of France, "the greatest enemy of their King." In spite of the efforts of Middleton and Berwick to discredit him, he hoped that Louis would see the advantages that would accrue to France if a civil war were stirred up in Great Britain. He would undertake to create a diversion if Louis would only give him a little assistance, and he would leave his brother as a hostage for his fidelity. In any case, he would serve France faithfully all his life.¹

It appears further from the drafts of his memorials, that before leaving France, Lovat had all but secured a sum of 50,000 livres, to be distributed in Scotland by himself and John Murray in their discretion. The Queen-Regent had told him that she would sell her jewels, if necessary, to obtain the money (the sale of this Queen's jewels is a familiar story), and ultimately, she obtained a promise of the amount from the former of the only two sources to which she could turn, viz. Versailles and Rome. But Middleton and Berwick, distrustful of Simon, intervened, and persuaded her that the money would do more harm than good; so she went to Marly and declined the offer of Louis. Lovat declared on his return to France that if he had received the money, there would be "ten thousand men now in arms for the King."² He was a firm believer in the efficacy of hard cash for strengthening the faith of the weaker vessels, and stimulating the conversion of waverers. "Siller," he declared to Lochiel forty years later, "goes far in the Highlands." He might have justly added: "in the Lowlands as well; and it is not despised even in England." There is some room for speculation concerning the destination of the 50,000 livres had Simon received the money. Possibly he might have adapted to the circumstances, the reply of his "wise" friend Breadalbane, when desired a few years previously to give an

¹ Addl. MSS. 31250, *passim*.

² *Id.*, ff. 51-54.

account of his disbursements to the Highland chiefs: "The money is spent, the Highlands are quiet, and this is the only way of accounting among friends."

The arrival of James Murray at St. Germain on February 14, after a journey of five weeks, including some days in Paris, was for the moment a serious blow to Lovat. For Murray's report about him was most damaging.¹ He declared that Queensberry gave Lovat a pass to the Highlands "to treat with the chiefs about taking arms." This was flatly contradicted by Queensberry himself, and is opposed to all the available evidence; but when Middleton with alacrity submitted the report to Versailles, there was naturally a heavy fall in the value of Lovat memorials. James Murray bore the reputation of being an honest and reliable man, and his opinion of Lovat—"wicked, dangerous, and notoriously to be suspected," are the adjectives he uses—carried much weight. Incidentally, it may be stated that if he was an honest man, he was also an extremely credulous one, as honest men are apt to be when their judgment is badly balanced. He believed and reported a statement by one Adamson, manager of the Lovat estates, that Simon had so little influence in the Highlands that "he would not find one Highlander who would willingly follow him." Yet when Lovat actually appeared in the Highlands eleven years later, those of his clansmen who had joined Mar changed sides and went over to him in a body. The man who could make or believe such a statement about Lovat, was clearly ignorant of the strength of the clan sentiment, and the overwhelming influence of the chiefs. Lovat himself knew better, when he wrote in one of his memorials about *les Montagnards qui sont commandés par leur chefs qui disposent absolument de leur vassaux*.²

Against James Murray's report, Lovat and his friends

¹ Macpherson, Original Papers, vol. i, pp. 663-665.

² Addl. MSS. 31250, f. 19.

promptly pitted the letters from John Murray, Appin, and Lord Drummond. Which story was to be believed? Mary Beatrice was now convinced that Lovat had betrayed his mission, but Torcy, the Nuncio, and Louis himself were halting between two opinions. Middleton applied himself to the task of persuading them that James Murray had thoroughly exposed Simon. He was a troublesome fellow, this Lovat, the astute schemer and the Queensberry spy, and he must be got rid of somehow. Hamilton, Atholl, and Middleton were at one on that point. James Murray's report about Hamilton was highly satisfactory up to a point. He had been most successful in hampering the settlement of the succession question, and in winning powerful support for his measures generally. But all this was expensive work, and, in short, more money was wanted. Parliament would meet again in April or May, when the discussion of these supremely important questions would be resumed. The sum of £25,000 would have to be found if the views of the Jacobites were to prevail. Hanover could bribe heavily; St. Germain must do likewise.¹

Such being the situation, it was more than ever imperative to finish off Lovat and his pretensions without delay. The whole story of his relations with the Atholl family was raked up afresh. Anything that could tell to his disadvantage was eagerly seized upon. He was talked about in and around Paris, as he had been talked about in and around London. The plain-spoken Lord Aylesbury (who, by the way, had a poor opinion of Middleton) was particularly virulent against Simon. Writing to Father Saunders, the Confessor of James, on February 25, he says he is certain that Lovat was sent to France by Queensberry. "I gave the character of this

¹ Macpherson, *Original Papers*, vol. i. pp. 666-669. It does not appear that this money was ever found. See *ante*, concerning the £25,000 already obtained from the Pope.

Lovat long ago to Madame Fox and others," he states, but they did not believe him until too late. "I acknowledge I am too warm when I speak about Lovat." Alluding to Simon's "ill-founded projects," as he calls them, he thinks that such men should be "confined in mad-houses if they are fools, or in the Bastille if they have their senses!"¹ On the other hand, we find Lord John Drummond telling Simon on February 26, that the sentiments of his father, Lord Perth, towards him were "full of esteem." Perth had remarked to his son that "nobody but such a person as you can gasse (*sic*) could be capable of ripping up those old calumnies against you." The allusion, of course, is to Middleton. Lord John bids Simon cheer up and try to bear his hardships, be they never so great, "with that firmness and greatness of soul" he is capable of, and has always shown upon all occasions, "which is the virtue of Heros." On the following day, Lord John advises him not to come near St. Germain, "for fear that, being seen by somebody, you might meet with ill offices that way." He tells him that letters received from Scotland state that some papers of his (Lovat's) had been seized in London, upon which Sir John Maclean and Keith were to be tried in Scotland.²

By this time Lovat had received vague reports about the treachery of some of his friends in London. In a letter to Keith, dated February 13, he tells him of the charges made against him in France, and that Glendaruel had written him that he (Keith) had informed upon him to Atholl. "It's true I told you as my most dear comarad the afaire and Glen(daruel) as my cusine germain. But may I never see God if either Q. (Queensberry), or L. (Leven) either knew or suspected my speaking to any Scotsman of ye K(ing)'s afaire." He cannot believe that "to gain a post," Keith would ever be guilty of "sacrificing

¹ Macpherson, Original Papers, vol. i. pp. 670, 671.

² Addl. MSS. 31251 (Letters from Lord John Drummond).

y^r sworn camarad, y^r uncle, and all y^r Relations." He reminds him that the only use he made of Queensberry was "to get out of ther hands, and it was a demonstration y^t I told you allways when I went and for what." If Glendaruel should make discoveries, "no man can trust himself," but he refuses to believe "any ill thing of him," and concludes that the whole story must be a fabrication by Atholl and St. Germain to ruin him. It was reported at St. Germain that Keith's uncle, John Murray, had been arrested, which, says Simon, "confounds me; for if he came here, his fortune and mine would be made." He entreats Keith to give him "ane account of all matters, y^t I may have something to say for my inocency that is so barbarously and treacherously attacked." He concludes the letter with the confident assurance that "y^e oathes we gave" of mutual friendship would be kept as sacredly by Keith as they would be all his life by him.¹ There are touches of sincerity in this letter that are worthy of notice. It is quite certain that of all people in the world, Glendaruel and Keith were the last whom Lovat would have suspected of treachery towards him. During the earlier years of his career, he had to experience many a rude shock to his belief in human nature.

Simon's money was once more coming to an end. He asked the advice of his friend, Hooke, whether he should represent his financial straits to Versailles while the Court was favourably disposed towards him, "in case circumstances might them alter." Writing on February 23, Hooke recommended him to wait a little. "The Court (Versailles) must make a resolution very speedily upon the great business. If it is favourable, your lordship will be included. If they will not meddle, your reputation is so very well established with them that they cannot refuse, considering your charges and trouble."² To this Simon

¹ Addl. MSS. 31251 (Letter (copy?) from Lovat to Keith).

² *Id.* (Letters from Hooke).

replied, thanking Hooke for having helped to restore his reputation, and sending him a memorial for the Nuncio, the object of which was to discredit James Murray. He was also preparing a memorial for Torcy, which the Nuncio revised. The latter told him that he "walked upon glace," and that he should pray to God to be delivered from the malice of such bitter enemies.¹

Well did Simon know that he walked upon glass and that a single slip would be fatal. For his enemies had not finished with him yet.

¹ Correspondence of Hooke, vol. i. pp. 105, 106.

CHAPTER XVIII

WHEN the ordinary man is ill, harassed, and in debt, he does not generally choose that time to think of marriage. But Simon Fraser was no ordinary man, and his matrimonial adventures alone would seem to furnish sufficient evidence of the fact. His youthful folly or crime (according to the true nature of the facts) on the occasion of his first marriage, had brought upon him such severe punishment—the cup was not yet full—that his subsequent attitude towards women might well have been marked by extreme caution. Yet his proposed marriage with the daughter of the rich London merchant (Fraser); his affair in London with Lucy Jones—whether honourable or otherwise; and his Paris “wife”—whether he was legally married to her or not—would seem to show that, whatever else he may have been, he was not, in relation to women, the “hideous misanthrope” that he was called by Mackenzie, the law student. And we now find him, in the midst of his troubles, seriously proposing marriage to one of the Scottish aristocrats attached to the Court of St. Germain.

He makes no secret of the object of his matrimonial designs. Dynastic reasons, just as if he were a scion of royalty, dictated his proposals. He assures us that, before he left for France, his friends made him promise faithfully to marry in that country, and, if possible, a member of the Perth family. Accordingly, he paid court to a daughter of the Duke of Melfort, then in a convent at St. Germain. His first step was to seek the consent of the

lady's uncle, the Duke of Perth, through the Duke's son, Lord John Drummond, who was a consistent admirer of Lovat's. The response was not unfavourable. Lord Perth "seems to be pleased with it, and there's nothing now to be done but to have my Lord Melfort acquainted with your resolution." "As for my part," adds Lord John, "I wish for nothing more than to see, beside the friendship your family and ours have contracted, an alliance betwixt them which will oblige equally both to stand by one another in misfortune and prosperity, and will confirm them in their principles of loyalty against all mortals whatever." There were, however, difficulties in the way. "I believe," wrote Drummond on the following day (February 27, 1704), "my Lady Dutchess" (Melfort?) "has a gess at, if she does not know, your design. By what I have heard her say to me upon that subject, she is not at all for it, because she does not understand how your former affaire is unlawfull both according to the principals of our religion and common equity." And Lord Perth, after further consideration, was not altogether favourably disposed. "He thinks it extraordinary," says his son, "you should think of marriage in the disorders things are like to be in. This need not hinder you to prosecute your designe, if your resolution be unalterable upon that business." Perth himself proposed to have a talk with Simon on the matter at the house, in Paris, of his sister-in-law, Lady Ann Crouly (a naturalized French subject), who appears to have been Lovat's hostess at the time. Simon was annoyed that there should be any opposition to his proposals, and, in order to reassure him, Lord John told him he was convinced that his father would not be against the marriage "if you can but show how that can be done in conscience, and according to the principals of our religion, in which, I think you told me, the Nuncio found no difficultie." Lady Ann would be "very ridiculous" if she should alter her friendship towards

Simon, or if she should think that "your attache to her would be less for your being married to one of her Br's family. I doubt not of my Lord Melfort's favourable decision, if the Religion part of it can be made plain."¹

The "religion part of it" was, of course, concerned with the questions relating to the legality or otherwise of Simon's first marriage; the effectiveness or otherwise of the annulment; and the Roman Catholic attitude towards divorce. The solution of the difficulty Lovat confided to the care of his friend, the Nuncio; this was a matter in which his guidance was particularly necessary. The Nuncio referred the question to the doctors of the Sorbonne, who decided that the marriage might lawfully take place. But fresh difficulties arose. The proposed bride wished to become a nun (was it in order to escape Simon?); the imprudence of the match became increasingly clear to her friends; and finally the negotiations came to an end. When describing the circumstances to the Marquis de Torcy, Lovat alleged, as one of the reasons for breaking off the match, that his friends dissuaded him from the step, because the Duke of Melfort was not on good terms with Versailles.²

No sooner had the proposals for this marriage fallen through than Simon sought a bride in another direction. The lady of his choice (or that of his friends!) was a daughter of Colonel Gordon O'Neill, a son of the celebrated Irish rebel, Sir Phelim O'Neill, by Jean Gordon, widow of Claude Hamilton, Baron of Strabane, and daughter of George, second Marquis of Huntly. Colonel O'Neill was thus a cousin of the Duke of Gordon, and of his sisters, Lady Perth, and Lady Ann, wife of Sir Miles Crouly. Miss O'Neill was in this way related both to the Duke of Perth and the Duke of Gordon, and to secure the Drummond-Gordon interest was for Simon a strong

¹ Addl. MSS. 31251 (Letters from Lord John Drummond).

² Addl. MSS. 31252, ff. 249-252 (Lovat's letter to the Marquis de Torcy).

inducement. Like Lovat himself, they were all poor: the Perth, the Melforts, and the O'Neills; but they were all of good family, and they all had influence. And at that juncture, these were the main considerations that weighed with Simon. Colonel O'Neill had occupied important posts in Ireland before the Revolution, and after that event, had shed his blood freely in the cause of James II. When all was lost, he entered the French service as colonel of an Irish regiment. O'Neill was in Paris in May, 1704, with his daughter, and negotiations for Lovat's marriage were then in progress. Simon desired the Nuncio to obtain the approval of Versailles and St. Germain, but Gualterio, who probably foresaw the trouble that was soon to befall the eager suitor, counselled delay. Before the marriage could take place, Lovat was packed off to Bourges, and one more of his matrimonial projects came to naught. But even when in prison at Angoulême, he had yet another bride in view. He suggested to Torcy that, if he had his liberty, the Court of Versailles would probably give him permission to marry a certain French lady of good family and a Catholic (whom he names) "for the preservation of his family."¹ That was the main thing; the perpetuation of the name of Lovat in his family. The personality of the wife was of relatively small importance; she was to be merely a means to an end.

But while these matrimonial schemes were being hastily planned and as quickly abandoned, the toils were being drawn around Lovat by his enemies. The pealing of wedding bells would certainly not have harmonized with the jangle of detraction that was being dinned into

¹ Memoirs, p. 335; Addl. MSS. 31252, ff. 146-147, 249-252. He soon made the discovery, according to his showing, that the prospective bride was the mistress of another man! He makes this statement in reply to a charge which had been made against him of leading a "scandalous and licentious life" at Angoulême (Addl. MSS. 31252, ff. 294-5). But the Governor of Angoulême reported that it was Simon's valet who had had an intrigue with the maid of a female prisoner (*Id.*, ff. 295-6).

the ears of his friends and foes alike. The latest report that was spread about him sought to show that he was a sneak, as well as a desperate Highland bandit who had been guilty of shocking enormities. He was accused of having charged Sir Alexander Maclean with inciting him during the previous year to cut Middleton's throat!¹ This accusation raised a flutter of excitement among Simon's friends. Maclean indignantly denied the truth of the charge.

The relations between Simon and Sir Alexander were not really cordial. According to Patrick Oliphant, Maclean had suggested to him (in 1703) that Lovat was untrustworthy. And we find Lovat writing to Hooke, March 3, 1704, that "I know Sir Alexander to be a very ill man 'twixt man and man; for he did and said severall things last year that will make me have a bad opinion of him all my life."² To all outward seeming, however, they were still close friends. Sir Alexander, for himself and his "Highland wife" (he seems to have just married for the second time), assures Simon—whom he addresses as "The Right Hon: the Earle of Lovat"—that though he cannot claim the same degree of friendship with him as Sir John Maclean, yet, "if you will not be welcome to our little house, the deel run away w^t the rooffe-try." In another letter (February 27), he suggests that Lovat and he are "too much strangers" to one another "at a tyme when we shoud be takeing just mesures against our enemies. I find y^t instead of gaining ground, we lose some daylie, and some of those who were our friends last winter doe grow verie cold, if not worse, at this time." He adds that

¹ Addl. MSS. 31251 (Letters from Sir Alexander Maclean; Correspondence of Hooke, vol. i. pp. 106-108; Addl. MSS. 31252, ff. 124, 125. In a letter to Gualterio, Simon gives his version of an interview he had had with the Queen-Regent, who, having heard some things prejudicial to Maclean, asked him some questions about Sir Alexander. Simon, "not knowing the cause of these questions," praised Maclean as a brave man and a faithful officer, "though he had his faults."

² Correspondence of Hooke, vol. i. p. 106.

he must now join his company in Germany, since he is only wasting time by remaining at Versailles. Alluding to "your cusin and my cheefe" (Sir John), who, he is told, has been sent down to Scotland as a prisoner, and with him young Keith, he says it is "no small greife" to him that he cannot get leave "to hasard my life in order to rescue him or take represaille for him." He reiterates their community of interests. "I am without hypocrisie or disguise unalterable yours. Our designs, our intrest, and our inclinations are the same. We have the same enemies, and the same intrest against us."¹

Apparently an effort was being made to breed trouble between Lovat and his friends. But the latter advised Lovat to stand by Maclean in his denial. Sir Alexander himself told him that the Perth family suggested his writing a letter to Maclean, declaring that he had never used the words imputed to him. On receiving this letter, Maclean was prepared to "make those steps y^t are fit to be made." It is impossible to say whether the Queen was mistaken in stating that Simon had accused Sir Alexander of inciting him to murder Middleton, or whether, if the accusation was made, the charge was truthful. In his *Memoirs*, Lovat lays the whole blame on the shoulders of Middleton, who, he says, invented the story, and persuaded the Queen of its truth.²

About this time, a letter from Lord Drummond, Perth's eldest son, was received from Scotland by his father, in which Lovat was lauded. His enemies immediately declared that Lord Drummond had been imposed upon. Not content with this, they went the length of asserting that the letter was forged. This was a charge that Perth was bound to disprove, and he succeeded in doing so to the entire satisfaction, at any rate, of Lovat's

¹ Addl. MSS. 31251 (Letters from Sir Alexander Maclean).

² *Memoirs*, pp. 256-259. Lovat suggests that Middleton tried to bribe Maclean, who "was poor."

friends.¹ The latter now included Cardinal de Noailles, the Archbishop of Paris, a liberal-minded Churchman, who had recently effected an accommodation between the Queen-Regent and Dr. Bentham, the young King's preceptor, who was accused of Jansenist leanings. He used his good offices with the Queen on Lovat's behalf, and apparently with some success.²

But Middleton was not done with Lovat yet. Whether or not he held the honest opinion that Simon was a rascal, whom it was his duty to expose, it seems clear that he was at the bottom of the machinations against him, and that he continued to vilify his character with the most malignant persistency. Lord John Drummond, a perfervid young Scot, regarded Middleton as an enemy of his native country ("who's greatest honor is to be of it"), and, on the other hand, identified Lovat with the honour and glory of Scotland. Simon himself writes in a sarcastic vein to the Nuncio about his enemy's religious professions. "If," he says, "it is a mark of the Catholic religion or of a genuine conversion" to cut his throat (*de me couper la gorge*) while professing all manner of friendship for him, as Middleton had done, "I leave to the judgment of your Excellency."³ Hooke, though a friend of Lovat, believed in Middleton's honesty of purpose. "I beg your Lordship," he writes Lovat, to have a "better opinion of E.M. I cannot think him an ill man, tho'

¹ Correspondence of Hooke, vol. i. p. 152. Memoirs, pp. 255, 256. Addl. MSS. 31253, ff. 43, 44. Perth was naturally much concerned at the charge of forgery. "My case is to be petty'd evrie way," he wrote Lovat. "The letter (Lord Drummond's) justifies you (Simon) past dispute." Which was precisely the origin of the charge.

² Addl. MSS. 31251 (Letters from Lord John Drummond). Cardinal de Noailles was a great friend of Middleton's. In his interview with the Cardinal, Lovat told him that the Highlanders, though half of them were Protestants, still prayed to the Virgin and the Saints, and that it would be easy to re-establish the Catholic religion in their midst. "When the chiefs are Catholics, the clansmen will follow them" (which was at best only a half-truth). The Cardinal was "ravished" to hear such good news! (Addl. MSS. 31252, ff. 120, 121).

³ Correspondence of Hooke, vol. i. p. 106.

mislead." On a later occasion (May, 1704), he told Middleton that he did not believe all that was said about Lovat, and that he continued to have a good opinion of his zeal.¹ "Blessed are the peacemakers" might well have formed Hooke's epitaph! He believed that James Murray was an honest but prejudiced man, though a Scoto-Frenchman named Livingstone, newly returned from Scotland, had reported to the Queen-Regent that Murray "*fait beaucoup de mal en Ecosse*." But Hooke had strong views about "*le peu de secret et la foiblesse*" of St. Germain. There was far too much faction at the Court to please the honest soldier. And the lack of secrecy at St. Germain was a byword in Scotland.

The triumph of the Middleton faction at St. Germain was complete when, in pursuance of their policy to wait events, they persuaded Mary Beatrice to throw cold water upon the renewed proposals for a French invasion. That a French expedition to Scotland was seriously contemplated by Louis and his Ministers admits of no doubt, and there is just as little doubt that the preparations were based upon the reports of Lovat and his friends. It is clear, also, that Lovat was to have taken an active part in the scheme.² He asserts, indeed, that he was to have headed the rising in Scotland,³ but that such was the intention is questionable. He was still trusted at Versailles, where he was regarded as a useful agent for the promotion of French interests; but lacking a commission from St. Germain, his standing among the Scottish Jacobites must necessarily have been precarious. No one knew better than Middleton that the interests of Versailles and St. Germain were not identical. France would not send a man or a louis without being well assured that they would serve to embarrass England. That was the primary

¹ Correspondence of Hooke, vol. i. p. 108.

² Addl. MSS. 31251 (Letters from Hooke).

³ Memoirs, p. 259.

object of her assistance, to which the restoration of James was incidental and subordinate. Middleton, as a faithful servant of St. Germain, supported a policy which placed the Stuart interest in the forefront. A Highland rising, in his view, was "visionary"; it might create a diversion in favour of France, but would not place James on the throne. He advocated patience and caution, though he was compelled to recognize ultimately, the force of Sir Alexander Maclean's remark, that "heretical swords will go further than Catholic patience." Yet, his policy, if consistently pursued, was intelligible and patriotic. But we look in vain for consistency in the views of St. Germain, which seemed to oscillate between prudence and recklessness, the inevitable result of divided counsels. As will be seen presently, there was a sudden change in the attitude of St. Germain once Lovat was out of the way, which appears to suggest that the vacillation of that Court was due in some measure to personal considerations. But, for the present, much to the surprise of Versailles, the Queen-Regent refused to issue commissions to the British Jacobites to join the French invaders.¹

Lacking the co-operation of St. Germain, a French expedition was foredoomed to failure, and the proposal was therefore temporarily abandoned. Lovat was disgusted at the course events had taken, and his rage against Middleton and the Queen-Regent knew no bounds. Once more the cup was dashed from his lips, just as he was about to taste the sweets of success. In a moment of impulsiveness, he addressed an angry letter to Queen Mary, stating he would never draw sword in the Stuart cause so long as she was Regent, but would reserve himself for the time when the King should come of age, or should take over the reins of government. This letter gave deep offence to the Queen. She handed it to Middleton, who declared that it was not only insolent but

¹ *Memoirs*, p. 261.

treasonable, and so worked upon the feelings of Mary Beatrice that she begged Louis to throw Lovat into the Bastille for his impudence. Once more, Simon's friend, Gualterio, came to his rescue. By his influence, combined with that of Cardinal de Noailles, his brother, the Duke de Noailles, and Marshal de Coeuvre, all Lovat's friends, whom the Nuncio engaged to speak for him, Louis was induced to overlook Simon's offence, and, firm in his belief that it was due to the over-zealousness of a thoughtless but well-meaning youth, refused to listen to the repeated requests of the Queen-Regent for his punishment.¹

The next device of Lovat's enemies to blast his reputation was the most sinister of all. John Murray had set out from Scotland for France four months previously, but had not yet arrived, and nothing had been heard of him since his departure. What could have happened to him? "That is easily explained," said the Middleton clique. "Simon Fraser has caused him to be assassinated, lest he should return to France and disclose his treachery." The suggestion had an air of plausibility for those who distrusted Lovat, and even his friends were not unaffected by it.² About this time, also, an Irish priest named Farrell, who had spent eight months in an English prison, arrived at St. Germain and made a communication to the Duke of Berwick, which the latter passed on to the Queen-Regent. "Your Majesty," wrote Berwick, "will see that he confirms the infidelity of Lord Lovat, and I believe it is absolutely necessary to send a copy of this paper in French to Torcy. The matter is of great importance (*L'affaire est de grande consequence*) and your Majesty may rely that the affairs of the King are ruined if Lovat is not arrested."³

¹ Memoirs, pp. 265-273.

² *Id.*, pp. 274, 275.

³ Addl. MSS. 20311, f. 45. Berwick never liked Lovat, nor did Lovat like Berwick. Apart from personal considerations, their political views were not in accord.

The disclosures that moved Berwick to offer this advice really proved nothing in respect of Lovat's fidelity or otherwise. Lord Granard, in the name of Hamilton and his party, had charged Farrell to inform Berwick that Lovat had been sent to France as Queensberry's spy, and that his arrest was therefore desirable. Hamilton was enraged by the discovery in Simon's London lodgings of the commission, whether genuine or spurious, from St. Germain to himself; and was naturally anxious that so notorious a mischief-maker as Lovat should be placed under lock and key. He may have thought that if Simon was Queensberry's spy, his own safety was not worth a day's purchase.

With the charge of murder hanging over his head, and with Farrell's communication considerably strengthening the reasonableness of the Queen-Regent's request to Louis for his imprisonment, Lovat was now apparently at Middleton's mercy. But when things looked at their blackest, the unexpected arrival of John Murray dispersed the clouds, and once more Lovat basked in the sunshine of his friends' favour. "The arrival of John Murray," wrote Hooke to Callières on May 27, "demonstrated the falsehood of the suspicions against Lovat, and the suggestion that Lord Drummond's letter was a forgery."¹ John Murray's appearance (he had been compelled to travel by a very circuitous route) greatly disconcerted Lovat's enemies, who had never expected to see him again. His report was entirely favourable to Simon Fraser, and the letters he brought were confirmatory of Simon's statements on the situation in Scotland. He reported that, accompanied by Lord Drummond, he had visited the Highlands; and he named the chiefs—Sleat, Glengarry, Clanranald, Keppoch (all Macdonalds), Lochiel, Appin, and Balhaldies—whose support might be counted

¹ Correspondence of Hooke, vol. i. p. 152 (Letters from Hooke to Callières).

upon. Incidentally, he declared that Lovat told both him and Drummond of his interviews with Queensberry.¹

The whole story of the intrigues against Lovat at this period, reveals a ferocious unscrupulousness on the part of his enemies in their efforts to destroy him. A good deal has been written (and written without discrimination), about the appalling wickedness of Simon Fraser, but nothing about the unprincipled methods against which he had to contend as best he could. There was no attempt to give him anything approaching fair play. His opponents struck at him in the dark, instead of meeting him in the open. It required a man of his undaunted courage to hold his own against them. That he succeeded in doing so for months after they had started their campaign of calumny against him, affords another proof of his resourcefulness in times of difficulty and danger. But the contest was too unequal to last indefinitely. The patience of Louis of France was at length worn out by the importunities of St. Germain, and he consented to send Lovat out of Paris.

¹ Macpherson's Original Papers, vol. i. pp. 680-682. In his Angoulême letters, Lovat continued to protest that in "*les affaires essentielles*," he had maintained, while in Scotland, the closest secrecy, although circumstances had compelled him to dissimulate (Addl. MSS. 31252). There is really no evidence to refute the substantial correctness of that statement.

CHAPTER XIX

BOURGES (Cher department), nearly a hundred and fifty miles south of Paris, was chosen as the place of Lovat's exile. He arrived there on May 31, 1704, accompanied by his brother John, who, in point of fact, had nowhere else to go. Versailles allowed Simon a modest pension of one hundred crowns a month, but he continued to have "a very empty purse." He had only been three days in Bourges when he complained to Gualterio of the dearness of the living; he was then residing at the house of the *procureur de police*. If he could become a student like his brother, and live *en pension*, his expenses would be materially reduced, but that mode of living would hardly be consonant with the dignity of Lord Lovat. On June 3, he wrote the Queen-Regent bemoaning his "unfortunate destiny," and begging her to forgive and forget his conduct (the allusion, apparently, is to his imprudent letter). He asks the Queen to make John Murray declare on his conscience the truth of what he knows about him. He does not pretend to be a great politician, but he takes God to witness that all he did was "in his weak judgment, in the King's interest." He begs Mary Beatrice to show him the same kindness that he had experienced from her before she received a bad impression of him. It does not appear that this letter elicited any reply.¹

His letters to the Nuncio—and they were fairly numerous—dealt mainly with three subjects: the incomparable goodness and greatness of His Excellency; the

¹ Addl. MSS. 31252, ff. 163-165.

value of the past and prospective services of Lord Lovat to the French King, his own King, and (a crowning service) to the Catholic religion; and—his chronic shortness of cash. He was constantly throwing himself into the arms, or at the feet, of the Cardinal (at that time the Archbishop of Imola), and he sometimes threw his brother at his feet as well. When on his way to England in 1702, he ran so short of cash that more money had to be found, "not without difficulty," through Gualterio and Perth, to enable him to continue his journey. The Nuncio reproached him gently with his extravagance. "In the name of God," he wrote, "be more economical in future." But habits of extravagance in a man like Lovat are difficult to get rid of, and during his stay in Paris and at Bourges, he pestered the good-natured Nuncio with his requests for assistance. Louis sent him three hundred livres to help him to pay his creditors. Lovat used the money for current expenses, and then calmly suggested that Versailles should settle his debts! Versailles replied by deducting the three hundred livres from his pension. Lovat was furious at this manner of treating "a man of quality": it was "*bien ridicule*," he said, and he hoped that if Versailles grudged him his paltry pension, he would at least be suffered to go home to Scotland.¹ But Versailles had no such intention. On the contrary, that Court gave orders soon afterwards to take him from the pleasant society of the amiable Intendant, M. de Roujeault (who was a real friend of Simon's), and give him a taste of genuine prison life.

While at Bourges, lamenting his impecuniosity and striving to saddle the French Court with his debts, Simon arranged and paid for a grand fête, which (he says) cost him four or five hundred pistoles (the average value of the pistole was about 16s. sterling). It seems almost incredible that a man who was making such a fuss

¹ Addl. MSS. 31252, ff. 172-183, 187, 188. Cf. *Memoirs*, p. 293.

over a paltry three hundred livres (the livre was superseded by the franc), and crying out about his debts, should be guilty of, or should have the means for, such extravagance. No wonder the Nuncio scolded him for his carelessness in money matters. The occasion of the fête was the birthday of the Duke of Bretagne, and Lovat excused himself to Gualterio for his extravagance by saying that it was expected of him as a pensioner of Louis, and "the only man of quality in the town." It was a great occasion in Bourges. Simon caused fountains to be set up which spouted free wine. The *Te Deum* was sung by his direction. There was a display of fireworks at night; the revellers declared that they would not go home till morning; and at length the populace of Bourges found itself "*lassée de boire*." An account of the fête, obviously prepared by Lovat, was published and found its way to Versailles. It was a bold attempt on Simon's part to influence Louis the Magnificent in his favour; but in view of his alleged poverty, it was not without its risks. A copy of the account may still be seen. It states that Lovat had arranged to have a company of the inhabitants of Bourges dressed and armed like his Highlanders, but that there was not sufficient time to make the necessary arrangements. This display (the account goes on to say) would have greatly added to the beauty of the scene, because the Highlanders are dressed "*à la Romaine*," and their arms consist of "a musket, two pistols, a dirk, a sharp sword three inches broad, and a round shield or buckler." Then follows a eulogy of the *Montagnards* as soldiers, as loyal subjects of the legitimate King, and as faithful friends of France.¹ The journalistic instinct was strong in Lovat.

But these halcyon days could not last. Lovat was far too comfortable, from his enemies' standpoint, and his capacity for doing mischief was still far too formidable.

¹ Addl. MSS. 31252, f. 184. *Memoirs*, pp. 293, 294.

His wings had been clipped, but he could fly away. He must be caged ; for not until then would his enemies feel safe. Louis was prevailed upon to give effect to these views. He gave orders for the removal of Lovat to the Castle of Angoulême (dep. Charente), there to be confined during the pleasure of His Most Christian Majesty. Simon describes the ignominious manner of his arrest : how the "villain of a prévôt" dragged him from his dining-room, and marched him off through the town in broad daylight on a market day ; how he had to bear the "raillery of an insolent and uncivilized mob" ; and how "every respectable inhabitant of the city in which he was honoured and esteemed, wept over his misfortune, and the ignominy of his disgrace." Closely guarded, he was put into a "cursed little chaise" accompanied by the prévôt, an "enormous porpoise," by whose "unwieldy bulk" he was "in a manner buried alive." Upon his arrival at Angoulême, he was thrust into "a horrible dungeon," where he remained for thirty-five days in total darkness. Finally, by bribing his jailoress, he found the means of communicating with his friends, who soon procured his delivery from the horrors of the dungeon. It was explained that this treatment was due to the blunder of an official, and Torcy issued orders to the Governor to give the prisoner the entire liberty of the Castle, taking his parole not to leave France without the consent of Louis.¹ Lovat attributed his rough usage to St. Germain, but (not unnaturally) he had now a suspicion that every ill which befel him had its origin in that quarter. For three years he was confined at Angoulême, at the end of which period, he was removed to

¹ *Memoirs*, pp. 299-303. Simon does not, however, tell us of the shower of letters with which he bombarded Torcy and Gualterio before this order was issued. He petitioned both with the greatest pertinacity for permission to have the liberty of the town, but this concession, so far as the correspondence shows, Torcy refused to grant. His temperament, said Simon, required conversation ! (Addl. MSS. 31252.)

Saumur in Anjou, where his circumstances were decidedly comfortable.

It is not easy to reconcile the foregoing account in the "Memoirs" with statements that appear elsewhere ; but the difficulty is more apparent than real. Mackenzie, the law student whom Lovat caused to be sent to the Bastille in Paris, states that when he was released on June 18, 1704, the French King, convinced of Simon's treachery, had him imprisoned at Angers.¹ We find Callières telling Hooke on July 26, that the only thing then occupying the attention of St. Germain, was to prove by letters from England the guilt of Lovat, *et on neglige le reste*.² "You have heard, I suppose," writes Perth to Hooke on August 2, "of the narrative of the Scottish plot, and particularly how it is plain that Lord Lovat has given light enough to discover the whole, by designing, by Duke of Queensberry's means to ruin his particular enemies, Earl Arran and Marquis Athol, and to obtain a pardon from Princesse Denmark for himself and a subsistance. And to effectuate the first, and gain credit to what he said, how he counterfeited a letter from the Queen to Marquis Athol. *I believe by this time he is in the Bastille*, but however this alters nothing of the main affair. Captain Moray—John I mean—brought enough to convince the Queen, the King of France, and everybody of the cordial design of many in Scotland to venture all for the common interest."³

From this letter, it appears that Perth was at length

¹ Portland Papers, vol. viii. p. 184.

² Correspondence of Hooke vol. i. p. 155.

³ *Id.*, pp. 155-156. Perth's defection was a sad blow to Lovat. He writes Torcy from Angoulême in May, 1705, about the fickleness of the "*foible et ingrat*, my Lord Perth," who had abandoned him, after being the cause of all his misfortunes. He explains the latter statement by saying that it was Perth who had put him against Middleton, whose enmity had been his ruin. (*Cf.* Memoirs, pp. 122, 123.) He was now anxious to be reconciled to Middleton—in order, of course, to obtain his release. Lovat's correspondent, who told him of Perth's enmity, may have misrepresented "*cet pauvre ingrat*." (Addl. MSS. 31252.)

convinced that Simon had arranged with Queensberry to ruin Hamilton and Atholl. This was true enough, but it is a very different matter from the betrayal of his mission to Scotland, with which infamy history has branded his name. It will be observed that to the best of Perth's belief, Simon was then in the Bastille. Forty years later, he himself declared that some of the St. Germain councillors "had interest enough to get him clapp'd up in the Bastille." He added to this statement, that "upon inquiry into the matter by the French King, my Lord Lovat was soon honourably dismissed; and not only so, but rewarded with a handsome pension, which was continued with him for his faithful services till he left France in the year 1715" (should be 1714).¹ In an undated letter to Louis, written after his return to Scotland, Lovat declares that he counts as nothing *le cachot, la prison étroite* and the persecution suffered by him during ten years at the instance of St. Germain, as a partisan of His Majesty's august house.² Now, Lovat was sent to Angoulême on August 2, the date on which Perth stated his belief that he had been sent to the Bastille. It is obvious that the Bastille, to which he and Simon himself alluded, was not the famous prison in Paris, but the Bastille of Angoulême, whence he was sent to Saumur, which the law student confused with Angers, in the same department (Maine-et-Loire).

Meanwhile the echoes of the "Queensberry Plot" were being heard in Scotland. The Earl of Leven was threatened with an attack in Parliament—"some talking of high treason"—for his correspondence with Lovat during the previous year; and was so impressed with his danger that he besought Harley's assistance to obtain a remission before Parliament sat. He hoped the Queen would be persuaded to "preserve one entirely devoted to

¹ Collection of Papers in Lovat Cases.

² Transactions of the Gaelic Society of Inverness, vol. xiv. p. 38.

her interest and service.”¹ His devotion did not prevent his entering upon a correspondence with St. Germain, as will be seen later. When the Queen’s message was presented to the Scots Parliament in July, 1704, by Tweeddale, the Commissioner (afterwards the leader of the “Flying Squadron”), he promised that the House would be placed in possession of evidence relating to the plot. No papers were produced during that session, but the English House of Lords was rated soundly for its interference in the matter. The Act of Security was passed; Commissioners for the Union were not elected; and recognition of the Hanoverian succession was delayed; the tactics of the obstructionists thus meeting temporarily with success all along the line. In the following year—the Duke of Argyll having in the meantime succeeded Tweeddale as Commissioner—some progress was made with the business of the plot. But after Atholl and Hamilton had vindicated themselves from the charges that had been made against them, and Atholl had enjoyed the luxury of having his fling at Queensberry, the subject was allowed to drop. Glendaruel and Keith had been summoned to give evidence, but were not called upon to perform an odious task. The “Scottish Conspiracy” was quietly buried, never to be disinterred, except by inquisitive historians.²

During this time, St. Germain and Versailles had entered upon a fresh period of activity. On June 22, 1704, a memorial from St. Germain was presented to Torcy and Chamillart, the French Minister for War, which sought to show that it was in the interest of France to take active measures for the restoration of James to the throne of his

¹ Portland Papers, vol. iv. pp. 94-95.

² The author of the “Genuine Memoirs” puts the matter (p. 19) thus: “But after a great deal of bustle and the expectations of the world had been tried, the thing by degrees grew ridiculous; and except David Baillie, who stood in the Pillory in Scotland, there was nobody hurt in consequence of this Plot.” Baillie was convicted of having forged a letter making certain accusations against Queensberry.

ancestors—a sudden change in Middleton's attitude. Though rendered harmless, Lovat continued to worry St. Germain. In August, a vessel with despatches for Scotland was detained, in order to carry intelligence about him, "which," said Middleton to Torcy, "is considered in Scotland as an important point." And in November, we find Middleton reporting to Torcy that John Murray, who was now in greater favour than "Jackiline" (James Murray), had been "duped" by Lovat. It was stated that Perth's sister, the Countess of Errol—"a very intriguing, wily lady as any in Britain," as a spy describes her—regarded Simon as a "villain" (the "Memoirs" ascribe to her a very different opinion), but her nephew (Drummond) still "esteemed him an honest man." And John Murray continued steadfast in the faith, thereby incurring much obloquy from his friends, who could not understand his loyalty to Simon. He "grew warm," we are told, on the subject of Lovat.¹

Middleton seems to have been led to believe by his advices from Scotland that the time was now ripe for a French descent—always provided Lovat had nothing to do with it. But Lovat knew better than Middleton the unreliability of St. Germain's correspondents, and from his prison at Angoulême predicted, in a letter to Torcy, the failure of any attempt organized by such "watery-souled" leaders. He proved to be right. In 1705, it was decided to send messengers to Scotland to ascertain what the prospects were. According to Captain John Ogilvie, an old officer of Dundee's, and now a creature of Harley's, the first step was to despatch a ship of thirty-six guns, commanded by one Carron, a Scot, to the North of Scotland. Then Hooke, who had all along taken a keen interest in the proposed diversion in Scotland, was sent to spy out the land. In the negotiations that followed, he had the advantage of the assistance of John Murray and

¹ Correspondence of Hooke, vol. i. p. 318.

his brother Robert. Ogilvie gives Harley a list of the chiefs heading "the disaffected party." Nearly all the names have already appeared in these pages as being in sympathy with a rising. The Highland clans mentioned by Ogilvie are the Camerons, the Macdonalds, the Stewarts, "the whole MacGregors, headed by one Rob Roy, commonly called by that name." The Duke of Gordon, he reports, "will only run on sure grounds." This was the duke of whom Macky remarked, "He hath a great many links in him, but they all do not make a compleat chain." The surprise of Ogilvie's list is—the Duke of Atholl; "supposed to be but lately joined." 'Ogilvie was evidently in close touch with the Jacobites. "I declare," he says to Harley on a later occasion (after performing a piece of treachery), "I never ran a greater risk since I was born, for had they but in the least suspected me, I had been murdered and never heard more tell of." He then proceeds to ask for more money. "Since the business of Fraser" (he writes in 1706), "our Court of St. Germain will suffer nobody that belongs to them to take any money from Versailles;" a very proper injunction, one may suppose. Meanwhile Middleton was being kept well-informed by his late secretary, Lindsay, who wrote him every week; while Lady Middleton maintained a correspondence with Mrs. Fox.¹

Hooke's mission in 1705 was a failure. He did not trust Hamilton (upon whom St. Germain mainly relied), and Hamilton did not trust him. There can be little doubt that he was influenced by Simon Fraser's views

¹ Portland Papers, vol. iv. pp. 276, 277; Correspondence of Hooke, vol. i. p. 226-230. The latter reference gives the Duke of Perth's instructions to Hooke. Among the noblemen who are capable of bringing a considerable number of men to "the service" of James appears the name of Lord Lovat, "if he were sincere and could be fixt to a principle." This was about the time that Lovat was writing of Perth's tendency to desert his friends after deceiving them by his "*grimaces*" of sincerity and devotion! (Addl. MSS. 31252, ff. 284-286).

about men and things in Scotland, and there is still less doubt that his object (his duty, in fact) was to serve Versailles rather than St. Germain. But this did not suit Hamilton at all, who told Hooke, in effect, that the Scottish Jacobites were not going to put their heads into a noose to help His Most Christian Majesty. The truth is, that Hamilton was tired of these troublesome emissaries from France, who studied chiefly the interests of that country. Better let things drag on until the death of Queen Anne, thought the Duke, and then—well, the next King of Scotland might be a Stuart, or he might be a Hamilton. Hooke and Hamilton had a meeting in the dark—the Duke could thus place his hand upon his heart and swear with a clear conscience that he had never seen Hooke—and the Colonel was left in the dark as to the Duke's intentions. The response of the other Jacobite leaders in the South was equally unilluminating; they received St. Germain's messages with becoming respect, and either made impracticable suggestions, or contented themselves with vague promises of no real value. These promises were supplemented by a visit to France, some months later, on the part of Charles Fleming, a brother of the Earl of Wigton, whom the Jacobites sent over with a memorial.¹

Hooke's renewed attempt in 1707 was hardly more successful than his previous mission. The story of his negotiations is a well-known episode in Scottish history. On January 16, 1707, came the end of the "auld sang,"

¹ Macpherson, *Original Papers*, vol. ii. p. 78. In April, 1705, Lovat from his prison was urging upon Torcy to take advantage of the favourable opportunity which then presented itself, of uniting France and Scotland against England. They make a great noise in the Scottish Parliament, he said, but it is only talk, and leads to nothing. No progress could be made without recourse to arms. He was willing to start the war himself at any time, and again offered to leave his brother in France as a hostage for his fidelity. Queen Anne, he said, prevented the spirit of disaffection from taking deep root by constantly changing her Scottish Ministers (Addl. MSS. 31252, ff. 279, 280).

when the Treaty of Union, carried in the Scots Parliament by bribery, intimidation, and the dictates of commonsense, received the Royal Assent, and in the popular view, Scottish liberties were sold shamefully and irrevocably. In the opinion of St. Germain and Versailles, the imminence of the Union was a fitting opportunity for another mission to Scotland. So, once more Colonel Hooke set forth on his travels, laden with the usual letters, this time from both Courts. Lovat, writing from Angoulême, warned Hooke that he would make nothing of such people as Hamilton or Atholl; they were noisy enough in Parliament, he said, but would never draw sword for the King. Hamilton showed the white feather so palpably when his opposition to the Union threatened to bring him into trouble, that Lovat's opinion of him was shared by others. Simon's faith, now as ever, lay in the Highland clans, whose services, he was convinced, he could readily secure if he were allowed to go to Scotland. But that was not to be; and Simon was forced to eat his heart out with impatience while the game of intrigue, at which he was a master, was being played by less skilled diplomatists. Unfortunately for the success of Hooke's mission, the chances of assistance from France were now smaller than ever, the serious reverses recently suffered by his troops having damped the ardour of Louis. But the state of excitement in Scotland over the Union had great possibilities, if leaders of sufficient enterprise and influence could be found to direct the popular passion of patriotism into the channel desired by St. Germain and Versailles. But such leaders did not show themselves, and the anger of the people as a political asset was wasted. The Jacobite nobles in the Lowlands were not fired with zeal for the cause; they were too careful to keep their skins whole and their estates intact, to venture a leap in the dark. There was no Montrose to put his fate to the touch and "win or lose it all." There was no Dundee to

call upon each cavalier "who loves honour and me" to strike a blow for the King. Instead, there were timid time-servers, fearful of moving a step in the wrong direction, looking in vain for a strong lead from a strong man, ready to shout when others had done the work, and greedy to share the spoil like corbies on a battlefield. Simon Fraser was right: in the Highlands alone was there any hope of the initiative being taken when fighting had to be done. The chiefs were as willing as the others to accept rewards, but they were at least ready to earn them by their good broadswords.

Hooke arrived in Scotland in April, 1707, and found that the Jacobites in the Lowlands, like the Court of St. Germain, were hopelessly divided in their views. The women, such as the strong-minded Countess of Errol, the Lord Constable's mother, were more enterprising than the men. But men and women alike looked in vain for a real leader. They had plenty of counsel, some of it from traitors like Ker of Kersland, who used the Cameronians as pawns in his game of deceit. The Government were seriously alarmed lest the Cameronians should make common cause with the Jacobites. Ker, who professed to be one of the chief shepherds of the Cameronian flock, worked upon Harley's fears so successfully that he was urged to use his influence to induce the Cameronians to issue a manifesto directed against the Jacobites. This was the sort of maze through which Hooke had to pick his way as best he could. He travelled through the country disguised as an English Borderer who had come to Scotland to buy cattle; while John Murray, owing to his former association with Lovat, was compelled to lurk in the houses of the Earl Marischal and Sir William Keith.

In the multitude of counsels there was but little wisdom. No plan equalled in practicability that of Simon Fraser as outlined at Versailles, and General Buchan's

proposals, admittedly the most workmanlike of those now put forward, were on similar lines. But where at this juncture were the hopes of St. Germain, the Dukes of Atholl, Hamilton, and Gordon? They were all suffering from nervous disorders, ague (of the shaking kind), and what not. They were really too ill to see Hooke; he must come again some other day, and catch them with some more attractive bait than France was now offering. What hope was there of the crowds of disunited units of which the Scottish Jacobite party was composed, each section distrustful of each, and not sure even of its own leaders, some of whom were malingerers and all of them playing for their own hand? Yet Hooke persevered, and managed to get some signatures, most of them by proxy, to a document engaging to rise if Louis sent 5000 men and arms, and if James came over to inspire his subjects with confidence. But the really important men were far too careful to put their names to such an incriminating document; their sympathy had to be taken for granted.¹

Back in France, Hooke succeeded after considerable difficulty, in securing the adhesion of Louis to a plan of invasion. The expected co-operation of 30,000 Scots—an illusory prospect—overcame the reluctance of Louis to take the risk. But delays interposed, and the expedition did not take final shape until 1708, sailing eventually from Dunkirk on March 17 under the command of de Forbin. How bad weather caused further detention; how the fleet ultimately anchored off Crail, Forbin intending to sail up the Firth of Forth on the following morning; how an English fleet was discovered close at hand; how Forbin thereupon cut his cables and sailed for the North; how adverse weather prevented a landing in the North; how the fleet returned to Dunkirk, and the

¹ For a full account of Hooke's negotiations in 1705 and in 1707, see *Correspondence of Colonel Hooke* (vols. i. and ii.); *Hooke's Negotiations*; *Portland Papers*, vol. iv. pp. 276, 277, 460, 461 (*Ogilvie's Reports*).

expedition came to an inglorious end; are not these things written in every Scottish history-book with a final relegation of the incident to the "might have beens"? It was a near thing, it is true; but one may be permitted to doubt whether, after all, the French would have been joined by the thousands of fighting men reckoned upon had they succeeded in reaching Edinburgh. They would have had cheers galore, and an entente cordiale between the two nations, reminiscent of the ancient alliance against the common enemy, might have been established. But the man to lead the national rising? Where, indeed, was he to be found?

James, with Middleton and Perth, accompanied the expedition in the flagship, the *Mary*. He had the mortifying experience of being almost within a stone's throw of the kingdom of his ancestors, and yet having to return without setting foot on Scottish soil. Middleton's two sons were on board the *Salisbury*, the only French (ex-English) ship captured by Sir George Byng. Had James been taken, there would have been a further addition to the list of "might have beens."

CHAPTER XX

WE left Lovat chewing the cud of bitter reflection at Angoulême and subsequently at Saumur. How he employed his time during this period of enforced retirement we cannot tell. He may have written part of his "Memoirs," and he must have written a great many letters. He asserts that during the three years of his imprisonment at Angoulême, he neither wrote to, nor received a line from, any individual in Great Britain or Ireland; but his French correspondents may have been numerous. He relates some of his experiences at Angoulême. He tells us of an Irish priest named O'Daly, who visited him under the assumed name of Captain Macartney, and tried, by means of specious promises, to induce him to escape, with the full intention of betraying him if he made the attempt. But Simon, knowing him to be a tool of his enemies, had him arrested, when his true character was exposed. Wonderful to tell, Queen Mary tried to persuade the French Court that it was Lovat who had made the proposals to escape, and that it was he who had vilified herself and Middleton, instead of the priest, as Simon declared. So "the wretch," as Lovat calls him, was released, and Simon's credit suffered.¹

He relates, also, the means by which his transfer to Saumur was effected; his brother John, now apparently in receipt of a pension from Versailles, accompanying him. Two months before Simon left Angoulême, his brother—the Chevalier Fraser, as he was called—joined him with

¹ *Memoirs*, pp. 310-314. *Cf. Addl. MSS.* 31252, ff. 215-217.

Torcy's permission.¹ Both brothers were befriended by the Marquis de la Frezeliere, of whose family Simon gives us some genealogical details, for were not the houses of Frezeliere in France and Frezel, or Fraser, in Scotland of the same origin? Indeed, when Simon and the Marquis first met, being the heads of the two houses, they took the opportunity of "renewing their alliance and declaring their affinity" by a formal act of recognition drawn up for that purpose. "*Je suis françois d'origine*," Lovat informed Louis in one of his memorials; and, superficially, there was really a good deal of the Frenchman about him. The clan feeling worked to Simon's advantage in effecting his removal from Angoulême, for the Marquis exerted himself on his behalf so zealously as to secure his release. Moreover, Simon assures us gleefully that Queen Mary was compelled, in the interests of truth, to declare in writing to Frezeliere, that "she had nothing to advance against the fidelity of Lord Lovat," and that he was only detained at Angoulême for "some political reasons respecting Scotland."² In any case, he settled down comfortably at Saumur in October, 1707, his pension of 4000 francs from Versailles, he states, being regularly paid to him for eleven years during his imprisonment and exile, up to the very moment that he left the kingdom of France."³

¹ The Angoulême letters show a tender solicitude on Lovat's part for the welfare of his younger brother—"the innocent child," as he calls him. He did his best to get John a company in the French service (Addl. MSS. 31252). Simon's insistence upon the sacrifices(!) he and his brother had made in coming to France are characteristic!

² Memoirs, pp. 315-323. Lovat wrote the Queen-Mother in November, 1704, offering his condolences on the occasion of the illness of James (and artfully touching upon his own misfortunes, especially in having offended the Queen), but his efforts to effect a reconciliation continued to be unavailing. He wrote the Queen again in March, 1705 (with the same result), asking her to bestow upon him the clemency and grace she had shown to others (Addl. MSS. 31252).

³ Memoirs, pp. 329-331. His pension was reduced while he was at Angoulême, the difference being applied to the payment of his Paris debts. It was restored to him in September, 1705 (Addl. MSS. 31252).

He showered letters upon Torcy during the preparations for the expedition of 1708, prophesying its failure and giving his reasons for doing so. Frezeliere and Gordon O'Neill tried hard to induce James to take Lovat with him, but the Chevalier was firm in his refusal to receive him into favour. His friends, however, brought him the comforting news that Louis was fully resolved to send him to Scotland as a general officer, in the service of France, when the second French army was despatched after the landing of James.¹ But James did not land, and Simon remained at Saumur.

The failure of the French expedition turned Lovat's thoughts and those of his friends into another channel. Versailles could do nothing for him ; St. Germain would have no dealings with him. Was he not, therefore, justified in making overtures to those who, he doubted not, would reward him for his services by restoring his estates to him ; or, as he put it, would assist him "in the attainment of his just and lawful design" ? But he dreaded the resentment of Louis. He states that he wrote Torcy, representing to him that an end must be put to his disgrace ; otherwise, he would return to his own country. To that letter he received no reply, but Frezeliere assured him that Torcy privately favoured his views. In the meantime, the Marquis himself got into trouble for insubordinate behaviour, and was thrown into the Bastille, whence, by John Fraser, he sent a pressing message to Simon, beseeching him not to think of flight until his release, lest he should be accused of acting in concert with him. Simon had planned an immediate escape, but abandoned the project in deference to Frezeliere's request.

At Saumur there were several English prisoners who were taken at Almanza, among them a subaltern named Jones, "a man of good sense, resolution, and enterprise." Lovat made a confidant of him, and Jones offered to

¹ Memoirs, p. 337.

accompany Simon in his flight, the avowed object of which was to obtain a pardon from Queen Anne through Marlborough and Argyll. After his plans had been changed, Lovat wrote letters to Argyll and others which, on an exchange of prisoners taking place, Jones undertook to deliver ; and he promised, likewise, to assure Marlborough and Argyll that Simon had been of much service to the English prisoners at Saumur—which was probably the case. The intimacy which sprang up between Lovat and this young officer suggests that the latter may have been nearly related to Simon's old sweetheart, Lucy Jones.

After Frezeliere had been released from the Bastille, he served with distinction at Lille and Malplaquet, and the reputation he acquired encouraged him to endeavour to soften the heart of St. Germain towards the exiled Lovat. But his efforts were in vain ; Simon was irretrievably ostracized. Despairing of being able to help him, Frezeliere recommended him once more to make his escape to England, and Lovat was in hearty agreement with the advice. All this time he was making free of the house of the Marquis, which was near Loudun (seven leagues from Saumur), where some English officers, captured at Almanza, were confined. Simon induced the Marchioness to show some hospitality to these officers, one of whom, named Hamilton, proved to be sadly lacking in gratitude towards his benefactors. This man, Lovat states, killed a fellow-officer named Bradbury in a duel, receiving himself a wound in the arm. Flying from arrest, he was concealed, at Simon's earnest request, by the Marchioness in her house, where his wound was dressed. Some time afterwards, he fell into the hands of the authorities, and was again helped by Lovat, who befriended him in various ways until the English prisoners were exchanged. Deceived by Hamilton's expressions of gratitude, Simon confided to him his intention of escaping,

and gave him letters to Marlborough, Argyll, Queensberry, Wemyss, and Leven, desiring those noblemen to intercede for him with Queen Anne. When Hamilton arrived in England, he went straight to the Dukes of Hamilton and Atholl, and handed them the letters, believing that this was an excellent method of currying favour with them. The letters were immediately sent to the Earl of Mar, who was then Secretary for Scotland. At the earnest request of Simon's enemies, Mar sent the letters to St. Germain, and Middleton bore them to Torcy in triumph. This is Lovat's story,¹ but, as will be shown presently, he was probably mistaken.

In 1709, Louis was ready to throw over St. Germain, if by that means he could secure peace. He was still, however, feigning to have another expedition to Scotland in view; or this idea may have been seriously entertained in order to force the hand of England. Frezeliere, whose reputation was steadily growing, took it into his head to form a plan of invasion of his own, in concert with Lovat. The head of the French Frasers was to be Commander-in-Chief, and the chief of the Scottish clan was to be the second-in-command. The scheme, according to Lovat, was discussed in detail between the two men, but, whatever inclination there may have been on the part of Versailles to consider this or any similar project, was dissipated by the investiture of Douay in 1710 by Prince Eugene.²

It was apparently while these discussions were proceeding, that Lovat wrote the letters which he confided to Hamilton's care. In his letter to Leven, dated August 20 (N.S.), 1709, he reproaches the Earl for not answering his previous letters, and gives him a hint of the renewed talk of invading Scotland, the carrying-out of the project, or otherwise, depending upon the continuance of the war or the arrangement of peace. In the event of

¹ *Memoirs*, pp. 366-374.

² *Id.*, pp. 377-382.

the scheme being proceeded with, the Earl might rest assured that he would see Lovat soon afterwards, "to live and die with you, at the head of some brave fellows, that will follow me in spite of all mankind." He goes on to say that, if he can ascertain with certainty when the expedition is to start, he will acquaint Leven by "the young lad" (his brother) whom he will send for that purpose.¹

Lovat had not made allowance for the possibility of this letter being used as a weapon against himself. If, as he asserts, he really tried to make a Jacobite convert of Leven in 1703, he sowed his seed in receptive soil; for Simon's letter, written in 1709, was sent to St. Germain in 1711, the latter year apparently marking the period at which the Earl definitely turned his coat and commenced to correspond with the exiled Court. It was as if Lovat had thrown a boomerang, which came whirling back and smote him full in the face. Middleton immediately (March 8, 1711) sent a translation of the letter to Torcy, with the remark, "Here, Sir, is a spy of consequence unmasked, and we know very well the means of preventing this correspondence for the future."² The letter to Leven seems to have been the only one that came back to France, and everything points to its having been sent by the Earl himself. It will be observed that Middleton suggested the obvious method of preventing such correspondence for the future. Lovat assures us that had it not been for the efforts of Torcy and Frezeliere on his behalf, he would have been "shut up between four walls for the rest of his life."³

The death of Frezeliere in 1711 was a sad blow to Lovat. So attached was the Marquis to his namesake,

¹ Macpherson, *Original Papers*, vol. ii. pp. 132, 133.

² *Id.*, p. 133.

³ *Memoirs*, p. 375. Leven was suspected of being concerned in the attempted invasion of 1708 (McCormick, *Carstairs*, pp. 762, 763).

that he "bequeathed him, as a mark of his affection, his daughter in marriage, with a considerable part of his estate as a portion." But the lady was too young for a marriage to be practicable, and so another heiress was lost to Simon.¹ The Countess de la Roche Millaye, widow of Frezeliere's cousin, now took Simon up. She appears to have been a woman of charm and influence, and at that moment, Lovat required all the influence that he could command. After peace had been arranged between England and France, the Duke of Hamilton (who was imprisoned after the incident of 1708, but soon found means to make his peace with the Whig Ministry) received, in 1712, the appointment of Ambassador to Versailles. This was a bolt from the blue to Lovat. His first impulse was to fly, but he was dissuaded by the Countess. The tragic and mysterious death of the Duke in Hyde Park, after his duel with Lord Mohun, dissipated the fears of Simon, who has the grace to shed a tear over the memory of his enemy, whose greatest fault, he avers, was his avarice.

Lovat turned to the Church next, not for spiritual consolation, but as an agency of conciliation. He engaged in his interests the good offices of Abbé Pouget, the favourite and friend of M. Colbert, Bishop of Montpelier, and brother of Torcy. But the Abbé proved a disappointing ally. He was "captured" by the enemy, and sorrowfully admitted to Lovat that he was forced to believe the accusations made by the other side against him. His efforts at reconciliation had done more harm than good. Perth, and even Torcy, were now definitely against Lovat,

¹ Memoirs, p. 384. The Marchioness de la Frezeliere kept up a correspondence with Lovat after his return to Scotland. In a letter to him, dated June, 1720, quoted by Mr. Hill Burton ("Lovat," p. 194), she congratulates him on his marriage, using the occasion to allude to a "pledge" left by Simon in France, a child "*tres blond et a de votre air*." She is certain that the ambition which he disclaims will never die within him, for "*elle est l'ame des Frezels*."

being convinced that he was making overtures to Queen Anne's Ministers. His case was hopeless. The only advice the Abbé could give him was to retire to a convent for life!

The next Churchman approached by Simon was M. de Crillon, Bishop of Vence, who happened to be sojourning at Saumur. Lovat paid him delicate attentions and won his good-will. The Bishop was on terms of intimacy with Torcy, whose friendship Simon wished, above all things, to retain. Torcy, who was getting wearied of Simon's ambassadors, exclaimed impatiently when de Crillon advocated his cause, "Why, in the devil's name, doesn't he go to Scotland?" But the Countess de la Roche again intervened, and persuaded him that he would be well advised to wait and see how political events were going to shape. However, he decided to send his brother John home "to act for Lord Lovat's interests," and in 1713, John Fraser embarked at Nantes for Scotland.¹

It may be safely assumed that he was well laden with letters. Among them was one addressed to Leven, Simon being still unaware of the Earl's change of politics. In this letter, he tells Leven that, being unable himself to leave France, he was sending his brother home to head his clan, in case there should be any stir in Scotland, which he thought probable. His brother was instructed to place himself at the disposal of the Duke of Argyll, whichever side the latter might espouse. This letter Leven promptly sent to James: another boomerang, which shaved off the last shred of Simon's reputation at the Jacobite Court, now removed to the Duke of Lorraine's territory at Bar-le-duc. In his "Memoirs" Lovat ingeniously tries to make his readers believe that the letter was a fabrication.² He states that it was a copy in Leven's handwriting, but

¹ *Memoirs*, pp. 391-404.

² *Id.*, pp. 430, 431.

Major Fraser, who saw the letter, says that "Lord Leven sent back the very letter to the Pretender."¹ Poor Lovat! Never was man more unfortunate in his friends. They seemed to betray him without the slightest compunction. Sir John Maclean, Campbell of Glendaruel, and now the Earl of Leven; all of them his cousins, too! The latter fact is really the explanation of the unlimited confidence he reposed in their honour. He could be as "close" as the rest of his countrymen, when dealing with strangers, but the sacredness of kinship, in his eyes, removed the seal of secretiveness: it was to him a cherished ideal, which neither treachery nor ingratitude could ever effectively shatter. This sentimentalism was a feature in his character, which has already been commented upon. It explains a good deal of what would otherwise be inexplicable. And it may be added that it was a very human trait, which has much to commend it. Whatever else he was capable of doing, Lovat was never capable of betraying a blood-relation.

There remains the question of his overtures for a pardon in London, and his avowed intention of placing himself at Argyll's disposal; in other words, fighting against the Chevalier de St. George, when a rising took place. Naturally, the discovery of his intention disgusted his former friends, who branded him as a traitor. But it is not easy to see where the treason lies. He had made persistent attempts at reconciliation, only to suffer a rebuff on each occasion. Moreover, was it not due to St. Germain that he had lain for three years in a prison? And if the advisers of James had their way, would he not at that moment be immured in the Bastille, instead of being only a nominal prisoner at Saumur in the enjoyment of a comfortable pension? Was he under any obligation to remain faithful to a party that had spurned the offer of his services with contempt? The truth is, that he had far

¹ Major Fraser's MS., vol. i. pp. 179, 180.

greater reason to turn his political coat than many of his contemporaries, whose quick-change tactics have never earned for them the name of traitors. He persevered to the end in his efforts to win back the confidence of the Jacobite Court. When his old friend, Gualterio, returned to France, he showered memorials upon him setting forth his pitiful case. Many of his letters may still be seen, signed, in some cases, "Lord Frezel de Lovat," and one of the last of the series (written in 1713) beseeches the Cardinal to obtain for him one of three favours: (1) a reconciliation with James and the Queen-Mother; (2) permission to enter the service of France; or (3) permission to leave the country.¹ He tried to reach Mary Beatrice through her Father Confessor. He endeavoured to get a post in the French army through Callières. It was all in vain. Yet he made no attempt to escape from France, the attractive Countess de la Roche, whose "company was the greatest consolation Lord Lovat could experience in the melancholy situation of his affairs," strongly dissuading him from the idea. He tells us that about this time he received letters from "a gentleman of his clan in London," suggesting that if he were willing to pay a thousand crowns to bribe the secretaries of the Earl of Oxford (Harley) and Lord Bolingbroke, a certain Bromfield, a Quaker who had followed King James into France, and was "in a perfect understanding" with Oxford and Bolingbroke, would obtain his pardon. Lovat authorized his friends to pay two, or even three thousand crowns to secure that end. But Bolingbroke received the proposal coldly when approached by Bromfield, and Simon remained at Saumur.² Deliverance,

¹ Addl. MSS. 31252. Gualterio was always regarded as a bulwark of the Stuart cause. In 1706, his brother, Giovanni Battista, was created Earl of Dundee (!) in the peerage of Scotland by the Chevalier (Stuart Papers, vol. i. p. 204); and in 1711, the Cardinal himself was nominated to succeed Cardinal Caprera as "Protector of England" (*Id.*, vol. i. p. 240).

² Memoirs, pp. 408-410.

however, was at hand. One day, about the beginning of July, 1714, he was "most agreeably surprised" to have a visit from "one of the principal gentlemen of his clan with a Fraser, his attendant." His visitor was Major James Fraser, the author of the manuscript which has been so frequently drawn upon in the narrative of Lovat's career. He must not be confused with Major George Fraser, Simon's companion in 1703, who was killed at the siege of Lerida in 1707.¹

¹ Memoirs, p. 286.

CHAPTER XXI

JOHN FRASER, Lovat's brother, on his arrival in Scotland went straight to Inveraray, where he met Argyll's brother, the Earl of Ilay. From Argyllshire he travelled North, and came incognito to the house of James Fraser, of Castle Leather, Culduthel's brother, who concerted measures with Alexander Fraser of Phopachy, for his safety. John Fraser had been outlawed for "fire-raising," and it was thought that by offering compensation to the person whose property had been destroyed, it would be possible to achieve their purpose. But their mediation proved unsuccessful, and a warrant was procured by Mackenzie of Fraserdale, who had married the Lovat heiress, for John's apprehension. They were equally unsuccessful in placating Fraserdale, who was excessively bitter, not only against John Fraser, but against Lord Ilay for befriending him. Ultimately, it was decided to send John to his mother's kindred in Skye for safety, and simultaneously, it was resolved by five of the leading members of Clan Fraser, that one of their number should go to France to see their chief. Queen Anne being dangerously ill, they were persuaded that upon the accession of King George, there would be trouble in the land, and that "if Simon could be stolen out of France, he might come to fish in drumly waters."¹

The choice of an emissary was put to the vote, and the

¹ Major Fraser's MS., vol. i., from which the whole account of the Major's adventures, as described in this chapter, is taken.

vote fell upon James Fraser of Castle Leather (*i.e.* *leathair*, the slope) whose subsequent title of "Major" was derived from a commission which he held in the Highland militia employed by the Government in 1715-1716. "The poor Major," as he is fond of calling himself, would have us believe that he was not elated by the prospect of having to travel in foreign parts; but we "hae oor doots." He had eleven small children, he tells us—he forgot the number later on, and gives it as nine—"and he not being bred a scholar and having no language but his mother's tongues, the English and Irish (Gaelic), thought it a hardship to leave his wife and children to go to a foraigne country where he understood none of their language." But duty called him, and after consulting his cousin, Brigadier Mackintosh—the celebrated "Borlum"—who, as a trusted Jacobite, gave him certain useful credentials, he set out from home on May 1, 1714, leaving "his wife and children spralling on the ground in tears." Mackintosh knew about the incriminating letter written by Lovat to Leven, and gave a warning hint about it to the Major, the meaning of which the latter understood later on.

The Major embarked at Shields on a collier bound for London, where he called upon Lord Ilay, Sir James Campbell of Ardkinglas, and John Forbes of Culloden, and told them of his mission. Ilay was cool towards the proposal; but Campbell and Forbes were hearty in their approval. At Gravesend the Major made an agreement with the skipper of a French smack—a smuggler—to carry him to Calais, the Frenchman undertaking to provide him with drink and a bunk for the agreed fare. But the Major, having left in a hurry, had forgotten to bring provisions, with the exception of some bread and cheese. Crossing the Channel, the smack encountered bad weather, and the bread and cheese "drying him up," Fraser demanded a drink, which was



MAJOR JAMES FRASER OF CASTLE LEATHER.

[*To face p. 212.*]

refused. This was the culminating point in the strained relations that existed between himself and his companions—the skipper and a crew of two Frenchmen—owing to the Major “not having their language.” The choleric Scot could stand the Frenchmen’s nonsense no longer. Drawing his sword, he swore he would kill the three of them, and then run the smack ashore. Terrified by the prospect—the Major looked every inch a “bonnie fechter”—the Frenchmen gave him some “small beer,” which quenched his thirst and his anger, but he had to “watch for three nights for fear they had attempted to kill him.” When entering the port of Calais, the skipper demanded his fare. Deil a fare would the Major pay until he had had “the law of them”; for they had not carried out their “paction.”

Picture the “poor Major” stepping ashore at Calais not “having the language,” but determined to have justice. Many men would have been ready to “pay and look pleasant” under the circumstances. Not so our Highlander, whose countrymen were noted for their pugnacity, as revealed not only in the field but in the Law Courts. “Does any one here speak my language?” called out the Major to the assembled crowd. An Irishman answered in the affirmative, and immediately the two were fast friends. They cracked a bottle of wine together, and the Irishman helped the Scot to state his case. The skipper was fined a gallon of wine, and received not a farthing for his passage, “which made us all very hearty.”

The adventures that befell the doughty Major on his way to Saumur gave him an opportunity of displaying the Fraser resourcefulness. He tells us how, on the road to Paris, he saw two men who looked like “madmen, or two come out of hell.” They proved to be harmless “Capizions” (Capuchins), as the Major discovered after drawing his sword, fearing to be attacked. The day being excessively hot, and the Major being excessively

thirsty, he approached a cottage and tried to make the good wife understand that he wanted a glass of milk, as he had probably done hundreds of times when passing cottages in his native Highlands, although there it was never necessary to ask for it. The Frenchwoman was puzzled to know what he desired, and he was equally puzzled to know how to communicate his wish. So he imitated the action of a person milking a cow, an inspiration that answered the purpose admirably. As he was nearing Paris, he was challenged at a garrison town and brought before the Governor, who, by means of an interpreter, asked the Major where he was going. The Major was ready with his answer: he was going to Germany to see two brothers of his who were in the Emperor's service and had written for him! Simon was not the only member of his clan who possessed an active imagination. "The Governor," remarks the Major complacently, "was very civil and gave him two bumpers of wine." After a stay of three days in Paris, where he met a countryman, Hugh Campbell (a son of Campbell of Calder), who afterwards proved a useful guide, the Major pushed on to Saumur. "Lord Simon," he tells us, "could not express himself for joy, that he had seen in that part of the world the only man that he had loved best of his name." Alas and alack! he lived to see the day when Simon alluded to him as a "rodomontade ruffian" (a mouth-filling alliteration), and as "one of the greatest rogues this country has produced."

After much cogitation, it was concerted between the two that the Major should go to Bar-le-duc, *viâ* Versailles and St. Germain, to plead the cause of his chief. Lovat was amazed, and rightly so, at the facility with which his clansman had found his way to Saumur, seeing that he knew no French, and in view of the disturbed state of the country, owing to the great distress caused by the war. He could therefore be trusted to have sufficient

address for a delicate task such as the one now proposed. The Major, laden with numerous letters to Simon's former friends, cheerfully undertook the commission, first going to Versailles, where he was informed that if James consented, Louis would not stand in the way of Lovat's departure. At St. Germain, where he first saw Perth, as directed by Lovat, he was less successful. Perth still retained a feeling of friendship for Simon, and advised the Major on that account not to deliver the letter he had for Middleton, apparently the one written by Brigadier Mackintosh. "You see," he remarked, "how far I am your chief's friend, altho' my Lord Middleton be my son-in-law ;¹ so you'll burn the letter." On the following day Fraser breakfasted with the Duke, and after breakfast, Perth produced the letter written by Lovat to Leven in the previous year, which, not unnaturally, "discouraged the Major." However, the Duke wished him success in his mission, and gave him letters to James, the Queen-Mother, Father Innes (the Queen's Almoner, a faithful Scot, who occasionally corrected the ignorance of his Catholic friends about ecclesiastical matters in his native country), Sir Thomas Higgons, who, in 1713, succeeded Middleton as Secretary, and one Colonel Scott.

The Queen was at Chaillot, her favourite retreat, where the Major had the honour of kissing her hand through a grille. She promised to write to James, who was then at Bar-le-duc, recommending the Major to his favour. But, according to the Major, "the famous Itallian Queen had acted the Jesuite" in sending him three hundred miles on a fool's errand ; for, on receiving the news of Queen Anne's death, she had despatched, that very morning, an express messenger to her son urging him to come to her. When

¹ The Major makes a slip here. Middleton was not Perth's son-in-law ; but Lady Elizabeth Middleton, the Earl's eldest daughter, was married to Lord Edward Drummond, the third son of the Duke of Perth. (Biscoe's Earls of Middleton, p. 287).

the Major reached Chaillons-sur-Marne, he learned to his disgust from an Irish soldier that James had passed him on the road. He turned back the way he came, but at Meaux he struck up an acquaintanceship with a Capuchin who spoke English; and from him he ascertained, over "a hearty bottle," that Louis had advised "the unlucky Pretender" to return at once to Bar-le-duc. This is quite a probable story; for, in terms of the Treaty of Utrecht, Louis was bound to avoid political complications by harbouring James in his dominions.

The Major at length ran James to earth at Luneville, the seat of the Duke of Lorraine, and had an interesting interview with him. James, like Lovat, was astonished to find that the intrepid Scot had managed so well without a knowledge of "the language." Did he know no French at all? "Only three words," replied the Major: "the first, to ask the road; the second, to ask a bottle of wine; the third, a bed at night." James asked him to repeat the words, which he did, with reluctance, before the company present, his Highland pride resenting the thought of appearing at a disadvantage. His hearers laughed at his bad French, whereupon he drew himself up and told them gravely that he was glad to have come so far to make His Majesty laugh so heartily; a well-merited rebuke, one ventures to think. Probably the laugh would have been on the Major's side had any one of the company attempted to pronounce three words of Gaelic!

All the Major's efforts on Lovat's behalf were fruitless; James would not listen to a word in his favour. The fatal letter to Leven was again produced, and, though Simon's clansman put as good a face on the matter as possible by suggesting that it might have been forged, it was all to no purpose. James told him that the letter was sent to him by Leven, who advised him to "keep Lord Simon fast in prison." Never would Lovat leave France

with his permission. The Major pointed out that the clan would follow no one but their chief, and that unless he was given up to them, they would never draw sword for him (James) or his; a true prophecy which James, in his ignorance, treated in an airy fashion. Finally, the Major got his marching orders. He was to go straight to Rouen, where Robert Arbuthnot, the Chevalier's agent, would find a way of sending him home at his (James's) expense. But he was not to go to Saumur, and it was only on giving his promise—with a mental reservation—to do nothing prejudicial to the Chevalier's interest, that he obtained permission to see his chief once more.

Before leaving Luneville, the Major was presented to the Duke of Lorraine, who was curious to see the wild Highlander of whom he had heard. He had come on foot to Luneville? Then, doubtless, he knew nothing about horses? "I preferred to walk," was the Major's canny reply. "But just try me, and I'll show you whether I can ride or not." At a hunt after dinner, a horse of the "buck-jumping" kind was placed at his disposal. The Scot kept his seat, mastered the animal, outstripped the harriers, and killed the hare with his whip before the sport had well begun! He took every hedge, every ditch, that came in his way, lost his hat and his wig, and, in fine, gave the ladies of the Court of Lorraine such excellent entertainment that they did not forget the "Galloping Major" in a hurry. The Duke of Lorraine made him a present of a horse, in recognition of his accomplishments, and the Duchess gave him "a very fine Hungary (tobacco) pipe" with which to solace himself on his journey home. An Irishman (the Major was constantly meeting Irishmen) offered him twenty-three pistoles for the horse, but, "having a piece of vanity," the owner told him that the horse was a present from "a great man," and refused to part with it.

On the morning after he reached Saumur, he had

a tiff with his chief, "who looked like a Tyger on a Chaine," having been told by his "little rascall" of a valet (a Fraser) that the Major was playing him false.¹ But when the latter, in a huff, asked for his commands for Scotland, Simon, whose anger had by this time evaporated, threw his arms about his neck, "like a Jesuite," and begged him to stay. "You know my failing," Lovat admits, "and (I) am naturally passionat." And then he promised that, when he received his estate, the Major "would share more of mine than my only brother John will doe." But, he "concealed as murder," the cause of his outburst of anger. The Major ultimately yielded to his entreaties, and the two became reconciled.

The first plan concocted between them was, that they should leave Saumur in two days, and meet King George, then at the Hague, who, they doubted not, would grant a pardon to Simon in return for the offer of his services. But Simon, "being always very tender of his carcass," found that the state of his health would not admit of his riding post. Therefore, it was decided to send his servant to England, to "see what encouragement his friends would give him to go home," Lovat and the Major meanwhile absenting themselves from Saumur, fearing that Louis might be prevailed upon to curtail the liberty of the former. One of the letters sent by the servant was

¹ Probably this "little rascall of a valet" was one of Simon's two servants at Angoulême. He describes his page to Gualterio in 1704 as "a son of a gentleman of my family." His page was at the time "very sick, and is not yet converted." So he begged Gualterio to recommend him to the Bishop of the diocese, in order that he might attend at the prison to convert his page, "who may then be able, by the grace of the Lord, to be a good example to his friends in Scotland." In point of fact, Lovat wanted to meet the Bishop in order to make use of him for his own purposes (Addl. MSS., 31252, ff. 211, 212). Years afterwards, a claim of £700 (Scots) was made against the Lovat estate for money "given to Alexander Fraser, son to David Fraser, when he went to France to the Lord Lovat" (Collection of Papers in Lovat cases). This may be the Major's "attendant" to whom Lovat alludes, but the Major himself makes no reference to him.

addressed to Brigadier-General Alexander Grant of Grant, who was urged to see Argyll on Simon's behalf. Alluding to a prospective rising of the Highlanders, Lovat showed, in guarded language, how useful his services would prove to either party. "You know, my dear Sir," he writes Grant (September 24), "as well as I do, how convincingly my stock lies to drive to either side, or to hinder either side to drive, and I daresay without vanity that my cattle is as good as any of my neighbours', and that I lie in the centre of all the markets of the North."¹ Subsequent events showed that this was no idle boast. There was no difficulty in getting away from Saumur, where, according to a contemporary, Simon "lived handsomely upon a pension of 4000 livres a year, under pretence of being a prisoner of State at large within ten leagues of that place."² They lurked seven weeks in the south-west of France, till the messenger returned with the tidings, that while Highland friends like Brigadier Grant and Culloden encouraged Simon to come to England, Argyll and his brother viewed the proposal unfavourably. "This put Lord Simon in a great consternation how to behave," which may have contributed towards a serious illness that now befel Lovat. He was, in fact, so dangerously ill that he believed his end had come. He made his will, bequeathing the whole of his cash, about £2000 (where did it all come from?), to the Major, who was charged to share it with Simon's brother. It is well to remember this when, among other vices too numerous to mention, Lovat is accused of having been an entire stranger to gratitude.

When Simon recovered from his illness, his companion advised him to take his courage in both hands and throw himself on the mercy of King George, "tho' at the same time the Major knew that his whole intention was to serve

¹ The Chiefs of Grant, vol. i. p. 349.

² State Papers (Scotland), MS. in Public Record Office.

the Pretender." Indeed, nothing is plainer than the fact that, though he was treated as a pariah by James and his mother, and subsequently as a distinguished loyalist by King George and his Ministers, his heart was always with the Stuarts. It may be admitted that he placed his own interests as the head of the Clan Fraser first and foremost, but the same sentiment that made him so intensely clannish drew him irresistibly towards the Royal House that was associated with so much of the past glory of his native country and his loyal forbears. Thus it was that, when the moment came for him to take a step which would irrevocably snap the links—frayed and worn though they were by friction—that bound him to the Stuarts, he hesitated. The Major argued with him that no other course was possible, and pointed out with some force, that although he enjoyed the protection of the King of France, he would inevitably be thrown into the Bastille immediately after the death of Louis and the accession of the Regent, "who hated him mortally." Persuaded that the Major was right, Lovat made immediate preparations for his departure, and returned to Saumur with his companion, to dispose of his effects to his confessor in the Jesuits' College. He told the Jesuits that he had obtained permission to go to Scotland to muster his men for the service of James. The Jesuits prayed for his success, and kissed him heartily. Also, to the Major's alarm, they kissed his companion, "who was then as great a Jesuit as they." Simon's friendship with the Saumur Jesuits may have contributed towards the story told in some of the contemporary romances, miscalled "Lives of Lovat," that he became a Jesuit, an eloquent preacher at St. Omer, distinguished for his learning and piety, and what not. Probably the story derived its origin from the fact that when he was staying at St. Omer, on his way to England in 1703, he desired that his correspondence should be addressed under cover to the Head of the College of the

English Jesuits in that town. He stayed several days at St. Omer "to make his devotions and recover his health"—so he told Gualterio.¹ He was hard up at the time, and very probably enjoyed the hospitality of the Jesuits.

When starting from Saumur, Lovat asked his "commerads," the Jesuits, to tell the townsfolk that he had gone to pay a visit to the Governor of Rouen, which was true in a sense, for he proposed to solicit the help of his old friend, M. de Roujeault, now Intendant of Rouen. When they reached Rouen, without molestation from any one, "only the exchange of two or three shott betwixt the Major and two highwaymen," they found that their flight had been discovered, and that orders had been sent to all the seaports to seize them if they appeared. They could find no English vessel at Rouen bound for home. So, at night, Lovat riding on the Lorraine horse, and the Major running by his side, they set out for Dieppe, only to discover that there was no means of crossing the Channel from that port. At Boulogne, the next port they tried, they hired an open boat for fifteen pistoles, to take them to Dover, and finally they set sail for England. There was some trouble over the Lorraine horse, but the Major resolutely refused to go aboard without it. They had a very rough passage, and the horse had to be tied down with ropes. They reached Dover in November, 1714—Lovat says on the 1st;² the Major says on the 15th. They were met at Dover by Alexander Fraser, the Major's cousin and Lovat's solicitor, who, by some mysterious means, had divined the time and place of their landing; he had previously been asked by Simon, without the Major's knowledge, to be ready for their arrival.

¹ Addl. MSS. 31252, f. 45.

² Memoirs, p. 463.

CHAPTER XXII

HAVING stayed the night at Dover, Lovat and his friends hired a coach next morning for Gravesend. The Major rode his Lorraine horse against the wish of Simon, who was afraid that he might bolt with the cash and the incriminating papers which had been confided to his care. Lovat's mind had been poisoned against his faithful clansman by the "little rascall of a valet," who, for some reason, had a grudge against him. But at Canterbury, where they stayed the next night, Simon was so ashamed of his suspicions, that he was most effusive in his attentions, and profuse in his promises, to the Major. They set off next morning in a more amiable frame of mind towards one another, and by the time they reached Gravesend, where they hired a rowing boat—the Lorraine horse they sent ahead—their cordial relations had been completely restored. A lodging had previously been secured for them by Alexander Fraser in the house of a Jacobite haberdasher, "in the heart of the city," and there Simon and the Major had it out, the misunderstanding between them being traced to the false information given by the mischief-making valet.¹

An anxious time was now in store for Simon Fraser. It was all very well to escape from France ; but what if he had fled from one kind of danger only to fall into another, and a graver kind ? First of all, he approached the Earl of Ilay, through his deputy, the Major, and he asked his

¹ Major Fraser's MS., vol. ii. pp. 1-7.

old friends, Grant and Culloden, to speak on his behalf to Argyll and his brother, prophesying that his own services might be needed sooner than they expected.¹ Ilay gave him an indifferent reception, but Brigadier Grant received him "with open arms." Unless, however, the Argyll interest could be gained, the outlook, as Lovat well knew, was dark. A ray of hope soon lightened the despondency into which Lovat was thrown by the Major's report. Ilay had been considering his case, and told the Major next day that he was preparing a petition in favour of Simon, to be signed by the leading gentlemen of the five northern counties in Scotland. This petition was to set forth that if the King would be pleased to pardon Lovat, "then in exile," the subscribers would answer for his being "very useful at the head of his clan," in the event of there being "anything adoe." The Major tells us with conscious pride that Lovat was very loth to part with him, "but my Lord Isla would entrust it (the petition) to none else."

Off went the Major to his native Inverness-shire, where he had a wonderful tale of adventure to tell his wife and eleven (or was it nine?) children. Then, in the dead of a stormy winter (December, 1714), and accompanied by his brother-in-law, Alexander Fraser of Phopachy, he travelled through the shires of Inverness, Moray, and Nairn, and obtained the signatures of "every leading man" to the petition. His method was simplicity itself. He told the Jacobites that the petition was to be presented to James the Eighth. He told the Whigs that it was intended for George the First. Really, the Major was getting on! He takes credit for having obtained the signatures of the men of Ross and Sutherland, as well as those of the three counties already named,² but Lovat tells us that for the former he was indebted to Munro of Foulis, who carried his petition to Edinburgh, where Ilay received both

¹ *Chiefs of Grant*, vol. ii. pp. 282-284; *Culloden Papers*, pp. 32, 33.

² *Major Fraser's MS.*, vol. ii. pp. 8-12.

addresses. Further, Simon would have us believe that the subscribers were all persons "well-affected to the Government," and that there was a rush to sign.¹ The Major bragged to Ilay of the way he had deceived the Jacobites, but if his tangled phraseology is interpreted aright, he got snubbed for his pains.²

It was not yet plain sailing for Lovat. Atholl was on his track once more, and Mackenzie of Fraserdale, who had married the Lovat heiress, was busy in Edinburgh with the Justice-Clerk, hunting up the old process and sentence.³ The Duke of Montrose, now Secretary for Scotland, opposed the pardon, and advised King George that Simon was unworthy of his clemency.⁴ A warrant was issued for Lovat's apprehension, and a search was made for him, but he managed to evade arrest until June, 1715. When Major Fraser returned to London from Scotland, he brought Simon's brother with him, and in June, the three were hiding in a house in Soho Square. They were traced to the address, and at three in the morning were carried off to a spunging-house, after the Major had slyly destroyed certain evidences of his chief's religious faith, and, consequently, proofs of his dangerous politics. Lovat promptly informed Ilay of their plight, whereupon the Earl sent the disconcerting reply that he would get the Major out, but as for Simon and his brother John, "there was no other relief . . . but to go to Tyburne." The truth was that, as the Major candidly admits, both Argyll and Ilay were suspicious of Lovat, not knowing what his real intentions were; "they feared his truckling."⁵ Matters were now getting desperate, but there was still a way out. Of the four sentries at their

¹ Memoirs, pp. 465, 466.

² Major Fraser's MS., vol. ii. pp. 12, 13.

³ Culloden Papers, p. 34.

⁴ Memoirs, pp. 466, 467.

⁵ Major Fraser's MS., vol. ii. pp. 12-16.

door, they discovered that two were Frasers, of the 3rd regiment of Guards. It was resolved, after much discussion, that Lovat should induce these soldiers to get together a party of Highlanders from the regiment, to bear off the prisoners in triumph. The plan worked successfully, and, according to the Major, fourscore armed Highlanders sworn to secrecy, were prepared to execute it without delay.¹ But, at the last moment, the scheme was abandoned, owing to the fact that a better way had been found.

Many things had happened in the political world since Simon Fraser landed at Dover in November. The fall of the Earl of Oxford, shortly before Queen Anne's death on August 1, 1714, was succeeded soon afterwards by the humiliation of his successful rival, Bolingbroke, the hope of the Tories, whose probable intentions in favour of the Chevalier were frustrated by the vigorous action of the Whigs. King George was proclaimed without opposition; Bolingbroke and the Duke of Ormonde, impeached for high treason and condemned unheard, went right over to the Stuarts in 1715; and the Protestant succession was firmly established without a blow having been struck. It was a time of triumph for the Whigs, anxiety for the Jacobites, and circumspection for the trimmers. For the moment, the star of the Stuarts was dimmed, but at any time it might again shine brightly in the political firmament. So it behoved the weak-kneed ones, whose only settled conviction was the necessity of considering their own interests, to walk warily lest they might stumble into the wrong path, and thus miss the chief end of their existence.

For it was inconceivable that the Jacobites of Great Britain were going to submit tamely to the Hanoverian yoke, without making an effort to shake it off. The moment for which many of them had been waiting

¹ Major Fraser's MS., vol. ii, pp. 17, 18.

for years had arrived. For some of them it was now or never; for all of them, it was now preferably to later. They had nothing to fear by a comparison between the King *de facto* and the King *de jure*. The Whigs were welcome to their middle-aged foreign princeling, with his boorish manner and his selfish aims. He had neither the kingliness nor the patriotism of the young man at Bar, who was waiting impatiently for the hour to strike when he should fill the throne of his ancestors, and rejoice the hearts of his countrymen by the moderation and prudence with which he designed to govern them. If the personalities of the two men were placed in the balance, who could doubt the issue of the test? But James was a sincere Roman Catholic, and George was a sound and militant Protestant. Could not the young King, urged some of his supporters, put on a Protestant mask, and take it off when it had served his purpose? It was impossible. James would despise himself, and be rightly despised by his people, were he to stoop to such a deception. Toleration in abundance he would allow; the same right that he insisted upon reserving for himself he would carefully preserve for his subjects; but, rather than act the part of a hypocrite, he would remain an outcast, a poor, titular, pensioned monarch, all the days of his life. It was an honest decision and a reasonable view; but the Protestant succession was now a settled fact; and there were sound reasons for the settlement. James did not complain. He perceived the "reasonableness" of the arguments of those who demanded a Protestant king for a Protestant nation. Indeed, nothing is more remarkable than the clearness of the Chevalier's political vision. He was always ready to see and give due weight to the point of view of his opponents, as well as of his dissentient friends. In his case, faith and reason were not in conflict. His deep religious feeling was counterpoised by his strong common-sense. He possessed a well-balanced judgment in religious

and secular affairs, which fitted him admirably to be a wise and just ruler, but made him constitutionally incapable of accepting risks recklessly. He feared his fate too much to be a political adventurer; he was too "reasonable" to kick against the pricks. His supporters had to take him as he was, or leave him to work out his own career as he saw fit. There was always a Cardinal's hat within his reach if he chose to accept it.

Lovat had prophesied years before that, when the time came to act, St. Germain's correspondents in England would be found wanting. Bolingbroke was now by force of circumstances an avowed Jacobite. But what of Marlborough in England, and Atholl in Scotland? Marlborough was coy and impenetrable. Bolingbroke did his best to bring him into the Jacobite net, but failed. "The love of money and the love of power," he reported to James, "will, I doubt, prevail, and make him keep aloof;"¹ and Bolingbroke was right. He himself was not the type of man to deserve unlimited confidence, either for his sincerity or for his political discernment. Sir John Clerk sums him up, not unfairly, in the following terms: "a smart, clever man, a good scholar, and a great rake." He reasoned the "pros" and "cons" of the proposed rising rather in the spirit of a sophist than with the intuition of a statesman. Nicely balancing the dangers of precipitancy with the risks of postponement, he decided against haste, but was opposed to undue delay. A middle course seemed to him to be best. But what guidance could his unfortunate master extract during a crisis in his affairs from such vague opinions? What James required was the practical advice of a statesman, and not the word-splitting of a metaphysician. Bolingbroke disliked Middleton, and could never be persuaded to form a good opinion of him.²

¹ Stuart Papers, vol. i. p. 360.

² *Id.*, vol. i. p. 361. Middleton was distrusted in Scotland. Ogilvy the spy reports that "The Scots abhor him" (Portland Papers, vol. iv. p. 307).

A man of his stamp would hardly respect a secretary who had a "crack in his tiling." But Middleton had at least a definite, if mistaken, policy, to which he consistently adhered as far as circumstances permitted.

In July, when the plans for a rising were under consideration, Mar recommended the appointment of Atholl as the generalissimo of the insurgents, with limited powers, if Berwick were not sent over to take the supreme command.¹ In the following month, soon after Queen Anne's death, we find Atholl writing to the Earl of Findlater, that "it is a mercy we have a Protestant king to succeed her,"² as if the idea of a Catholic successor were abhorrent to him. Yet, in September, on the eve of the Jacobite insurrection, Bolingbroke, like Mar, advised James that, though the Duke's fidelity was suspect, it would be desirable to offer him the command with limited powers.³ But Atholl proved unresponsive to the advances made by James and his friends. No doubt it seemed to him probable that the usual Jacobite bungle would be made of the business; therefore, caution was desirable. The Jacobite coast was strewn with hidden reefs, some of them uncharted. Skilful navigator though he was in the intricate channel of politics, it appeared safer for him to remain in a haven of safety than venture amid the breakers. The time might come when he might slip his cable, and sail into the open sea with a feeling of complete security; but for the present the reefs were too risky. In

¹ Mar's Memorial (Stuart Papers, vol. i. p. 525).

² House of Commons Papers, vol. i. p. 487. Atholl states that Lochiel and Sir John Maclean had been at Inverlochy, and that they had escaped from General Maitland, who was about to seize them. He suggests that the clans be compelled to give bail for their good behaviour. In order to illustrate the strength of the clan feeling, Lovat stated, in a memorial drawn up in 1724, that in 1715 Sir John Maclean had got together 400 men from Mull for Mar's army, though he was not in possession of "one inch of ground." (Sir John died, a prisoner, at Gordon Castle, in February, 1716, and Lovat, as his cousin, claimed his personal effects.)

³ Stuart Papers, vol. i. p. 415.

the meantime, his son, the Marquis of Tullibardine, would explore the dangerous coast in a pilot-boat. Whatever happened, the big ship would be safe. It was the sort of thing that had been done over and over again in past insurrections, and was to happen once more in the last and greatest of the Jacobite risings, thirty years later. Perhaps Defoe, when acting as a spy, was not overstating his case, when he wrote that "the nobility of Scotland are an odd kind of people, to say no more of them."¹

Atholl was a power in the Central Highlands, and for that reason, besides the commanding position which he had for years occupied in the Scottish political world, his accession to the Jacobite cause was of considerable importance. It was clearly recognized by James, that the backbone of any rising that had a reasonable chance of success must be supplied by the Highlanders. He was anxious to tread British soil with the least possible delay. "Neither time nor pains must be spared that I may be once sett a flotte," he told Berwick, early in July, 1715.² The want of money was a very pressing difficulty. Berwick advised him to go "with what you can gett or scrape. . . . Providence will doe the rest."³ Past experience had shown James the unwisdom of relying upon France for help. There was less chance than ever of French assistance, since the signing of the Treaty of Utrecht, the provisions of which, in his own interests, Louis was careful to respect, though he was not averse from giving secret help. But he would not venture to countenance James openly, unless success was absolutely assured. The Highland broadswords proved to be the only asset of really practical value at the command of James. And eight thousand Highland broadswords were

¹ The Duke of Gordon also stopped at home, and his son, the Marquis of Huntly, joined the Jacobites. The Duke died in 1716.

² Stuart Papers, vol. i. p. 374.

³ *Id.*, vol. i. p. 374.

ready to leap from their scabbards when the man and the moment arrived.¹

For two or three years before his disgrace, Oxford had supplied the principal chiefs with pensions, following the precedent set by King William. It was a system that was not without its dangers, though it received the sanction of Parliament. If the Highlanders were paid to keep quiet, why should not other bodies in the community claim similar consideration on the same ground? So thought the Cameronians, according to Alexander Cunningham (of Eckatt?), who informed the Treasurer in 1712 that they expected pensions as well as the Highland clans, adding the quaint remark that "religion and the high duties on salt, etc., give 'em here a melancholy view of the times."² The pensions paid to the Highlanders came to a stop with the disgrace of the Earl of Mar—"Bobbing John," a notorious political wobbler—who was relieved of his office of Secretary for Scotland on the accession of King George. A loyal address from some of the principal Highland chiefs, addressed to Mar and presented to George by the Earl, was coldly received by the King. The chiefs, flaming with resentment, were ready to make common cause with Mar, who had now been snubbed past endurance. "My greatest loss," he said to his brother, Lord Grange, "is the want of the knowledge of the language the King understands." But he had no difficulty at all in understanding the language of ostracism. Thenceforward, Mar was lost to the House of Hanover. He was no great loss as a soldier, but he left a distinct gap in the ranks of those statesmen who were gifted with an accommodating disposition.

Encouraged by a curious message from the Duke of Ormonde,³ who, dismayed by his impeachment, soon

¹ Mar's Memorial.

² House of Commons Papers, vol. i. p. 13.

³ Memoirs of the Duke of Berwick, vol. ii. p. 205.



JOHN, 11TH EARL OF MAR.

[To face p. 230.]

afterwards fled to France, James made feverish preparations in July for crossing the Channel immediately. He fixed the date of the rising definitely for August 10 (a date which proved impracticable); and Mar, who for the moment was regarded as the mainspring of the movement, received the Chevalier's instructions to proceed to Scotland.¹ He left London hurriedly on August 2, and on September 6 unfurled the standard of rebellion at Braemar, where the Jacobite leaders were assembled by the usual device of a great hunt. But in the meantime, James had received advices both from Mar and Ormonde, intended to hold him back, at the very time that Berwick was doing all he could to urge him forward. These contradictory counsels were a sore trial to the unhappy Chevalier; and yet another grievous disappointment was in store. He had confidently reckoned upon Berwick crossing the Channel with him, for he was well aware of the weight that his half-brother's prestige as a successful general would carry. "You know what you owe to me," he tells Berwick, "what you owe to your own reputation and honour; what you have promised to the Scotch and to me; of what vast consequence your accompanying of me is."² But all that Berwick could give him was advice. In 1713 he had offered his services to James, provided he could obtain the consent of his master, the King of France. Louis granted the required permission, but before anything could be done, Queen Anne died, and Louis withdrew his sanction, fearing to embroil himself with the new Government. As a subject of France, Berwick could not stir without the consent of Louis; and that consent Louis steadfastly withheld. It was with the sanction of James (then a boy of fifteen) that the Duke became a Frenchman, and though James, fortified by legal opinion, still claimed

¹ Mar's Journal, p. 17.

² Stuart Papers, vol. i. p. 377.

his obedience as his subject, Berwick could not "depart from the vast obligations now incumbent on him without breach of public faith and gratitude." (So he told Mar in February 1716.)¹ This attitude Berwick consistently maintained after the death of Louis, and during the regency of the Duke of Orleans, who was even less inclined to embroil himself in Stuart affairs than his predecessor had been since the peace. James was quite unable to shake his resolution, for Berwick had the obstinacy of the Stuarts, and the courage without the fickleness of the Churchills. Finally he refused point-blank to obey his brother's orders to proceed to Scotland to take the command. It was an irretrievable blow to the prospects of restoration, for if the presence of James was equal to "an addition of 10,000 men" to his cause, the military genius of Berwick must have represented twice that number. Some of the most bitter sentences ever penned by James were written about what he considered to be his brother's desertion of him. But the Chevalier had Bolingbroke to fall back upon as an adviser. "It is laid down as absolutely necessary," wrote that statesman, "that the fire should be lighted in all parts at once." This was all very well for a literary simile, but it was less satisfactory as a practical suggestion. For, with Marlborough holding back, and Ormonde a fugitive, the only way to light an English fire was to send a blazing torch of Highland fir whizzing among the oak sticks.

Thus inauspiciously commenced the "Fifteen." Blunder succeeded blunder. The initial mistake in forcing the pace was followed by misunderstanding and confusion. The directors of the movement in France and their agents in Scotland were at cross-purposes. Convinced that a rising in August would be premature, James endeavoured to countermand the original orders. But his messenger, Allan Cameron, was delayed, and before his orders could

¹ Stuart Papers, vol. i. p. 500.

reach Mar, the rising had become an accomplished fact. The message to be countermanded was sent by Lord John Drummond. Mr. Lang asks what that message was, adding that "the MSS. do not inform us."¹ But there is a MS. which *does* inform us. A spy named "J. MacGregory" (who has the impudence to sign his name "MackGregory," as if he were Balhaldies, the recently-elected chief of the Macgregors) reports to Secretary Stanhope on August 4, that "about a fortnight ago, John Drummond (commonly called Lord John Drummond, one of the Earl of Perth's sons) passed likewise this way from London with the same news for the Highlands." The "same news" was a message brought by Charles Fleming from France, "that in the beginning of August their King would come and not sooner, and bid them prepare for it."² There can be little doubt that it was this message that precipitated the rising.

In these circumstances, it is difficult to see how the strictures passed by Mr. Lang upon Mar for his "stupid

¹ History of Scotland, vol. iv. p. 178.

² State Papers (Scotland) MS. in Public Record Office. The spy, "J. MacGregory," first offered his services to the Government in September, 1714 (House of Commons Papers, vol. I. p. 494). Judging by his statements about Lovat, his reports to the Government were not, apparently, remarkable for accuracy. He told Stanhope (August 4, 1715) that Lovat had arrived "last winter from France, and had travelled from England to Scotland by the Western Road, bound for the Highlands, to do Business there for the Pretender, in order to an Invasion to be made as soon as possible; being followed by Coll. McIntosh of Borlum, an officer in the French service." "These two," he goes on to say, "stayed in the Highlands till the spring, when, having succeeded in their negotiations, they returned into France, carrying along with them some gentlemen of the country, and particularly one Capt. Cameron, who had been employed in secret service by the Earl of Oxford." All this time Lovat, as a fact, had not moved out of London! "MacGregory" (at whose identity it would not be difficult to make a guess) was probably more accurate in stating that a great many Jacobite officers and soldiers were moving about in disguise. "'Tis even said that some of our Half-pay officers and a great many Broken ones are in full pay to him (the Pretender); nay, some talk of a few who are in Full-Pay both to the King and the Pretender!"

recklessness"¹ can be justified. He was simply obeying positive orders which left him no alternative. As events turned out, it would have been better had he waited for a reply to his letter to James. But what if the delay had jeopardized or ruined the enterprise? There might have been reasons for the orders of which he was not cognizant. Placed as he was in a difficult situation, his plain duty was to obey and not to dawdle. Indeed, in his memorial of July, he stated expressly that, while recommending delay, he was ready to bow to the decision of James, should the latter consider that the time was ripe for the rising.²

The insurrection had just broken out when Lovat, chafing at his inactivity, was planning to break his prison bars.

¹ History of Scotland, vol. iv. p. 179.

² Mar's Memorial (Stuart Papers, vol. i. p. 525).

CHAPTER XXIII

THE Earl of Sutherland was a tower of strength to the Government in the North of Scotland. A Whig of the Whigs, and a Protestant of the Protestants, his loyalty to the House of Hanover was unquestioned, and his friends might safely rely upon enjoying the favour of the Ministry. To him, therefore, Lovat turned in his hour of need. Months before, he had sought the interest of the Earl, and the latter was one of the seventy-eight persons who signed the petition in Simon's favour.¹ When the trouble at Braemar became known, Simon wrote what Major Fraser calls a "very creeping letter" to Sutherland, beseeching him for his countenance, and promising his aid to the Government if he were liberated.²

Meanwhile, in view of a possible pardon, Lovat's antecedents and the prospects of his usefulness were being examined in high quarters. The Lord Advocate, Sir David Dalrymple, brother of the Earl of Stair, was instructed to prepare a statement to be placed before the King. Dalrymple reported that Simon had been pursued by the dowager for "a riot and a rape," and that the defendant had not appeared, "but what followed I do not remember, nor the substance of the evidence then given."³

¹ The Sutherland Book, vol. ii. pp. 205, 207 ; Culloden Papers, pp. 336-338.

² Major Fraser's MS., vol. ii. pp. 18, 19.

³ State Papers (Scotland) MS. in Public Record Office. "All depends on Sir David Dalrymple's report," wrote Lovat to the Earl of Sutherland, when soliciting his influence with the Lord Advocate (Sutherland Book, vol. ii. p. 206). A more cautious report than that of Dalrymple could not well be imagined.

"Ja. Stewart" (Sir James Stewart, Dalrymple's predecessor?), writing on September 3, was "satisfied" that Lovat might do good service in the North, his presence there being regarded as of "noe small consequence."¹ But the Atholl family would be incensed if any favour were shown to him. "What may engage the one to his Majesty will disoblige the other." The Earl of Ilay, writing about the same time, wishes that "the good the Duke of Atholl may do, may be equall to the loss the King's service suffers for the want of Ld Lovat's pardon." . . . "There is a point in Ld Lovat's case which I believe his enemies in Scotland have not considered, viz. that he, being a peer, could not be tryed in Scotland, and our outlawry in criminal cases do not amount, as they do here, to a conviction."²

Clearly, Lovat's potential usefulness to the Government in the crisis which had arrived was fully recognized. Atholl was the stumbling-block. The Government wanted to pardon Lovat, but the difficulty was to conciliate the powerful Duke whose friendship they wished to retain. Lovat's backing was now becoming stronger every day. Ilay, as has been shown, was strongly urging the expediency of a pardon; he was convinced that if Sutherland, Lovat, and Grant could "keep their ground" in the North, until he could join them with troops from Argyllshire and Fort William, "Lord Mar and his people with all their strength will be enclosed, while my brother will be about Perth." The "brother," *i.e.* Argyll, was regarded as the mainstay of the Government in putting down the rising, and there is reason to believe that he, too, was in favour of Lovat's pardon. Finally, the Government seem to have decided to do something for Simon: we find Ilay begging Lord Townshend, one of the Secretaries, on September 23, that "whatever allowance is made (in respect of Lovat) may be made really effectual."³

¹ State Papers (Scotland) MS. in Public Record Office.

² *Id.*

³ *Id.*

In the North of Scotland, Sutherland was exerting himself successfully to help Lovat; and it was this circumstance that induced the latter to abandon his proposed escape by means of the Highland soldiers. Sutherland went among Lovat's friends, who joined the Earl in signing a bond for £5000 as bail for Simon, who was consequently released. But the bond provided that he should remain in London until the end of October. Major Fraser suggests that this condition was due to the influence of Argyll and Ilay, who feared his "truckling"; but the Major's surmise is not borne out by the facts. Ilay wanted the Major to accompany him to Scotland (so the latter says), leaving Simon in London. But when Lovat heard the proposal, he protested that, if his companion forsook him, he would "leave bale and all and die a Capizian (Capuchin) in France."¹ These statements by the Major do not square with the clearly expressed desire of Ilay to have Lovat's co-operation in the forthcoming campaign, nor with his urgent appeal for the pardon and release of the accused.

Finally, Lovat resolved—or was persuaded by the Major—to risk everything by going forthwith to Scotland, provided a pass could be got. The Major overcame that difficulty by obtaining, through the good offices of Dr. Wellwood from Lord Townshend, or from Stanhope, a pass for himself, John Fraser, and two "servants," one of whom was Simon himself. The party travelled to Newcastle, which they found in an uproar, Lord Derwentwater "and the Northumberlands being then in arms." The Secretary's pass secured for the party the courteous attentions of Major Kennedy, who put them on the road to Dumfries, where they had trouble.²

On October 12, the Provost of Dumfries, Robert

¹ Major Fraser's MS., vol. ii. pp. 19-23.

² *Id.*, vol. ii. pp. 24-30. The Dr. Wellwood, or Welwood, who helped Lovat was probably James Welwood, who figures in the "Dictionary of National Biography" as a writer on historical subjects.

Corbett, reported to the Marquis of Annandale, the Lord-Lieutenant of Dumfries-shire, the arrival on the previous night of "one Mr. Fraser, who calls himself brother to the Lord Lovat," Simon himself ("ane aged man of about sixty"), and six servants. "Mr. Fraser produced a pass, said to be from Secretary Stanhope," but his brother, having no pass, "we have caused sett a sentury upon them till we have your Lordship's orders annent them."¹ It is surprising to find Lovat, whose age was thirty-nine, described as "ane aged man of about sixty." Perhaps the Major played a trick on the Provost by representing an elderly servant as Lord Lovat; or Simon, an adept in the art of disguising himself, may have added twenty years to his appearance by simple expedients. There is the further possibility that illness and trouble may have really left their marks upon him. The Major tells us that one Mr. Murray, of the family of Atholl, "who knew my Lord Lovat," informed the Provost that "the villain Beaufort was in town, who certainly was going to join the rebels." Viscount Kenmure and the Earl of Carnwath were expected to arrive at Dumfries at any moment, and any Jacobites in the town were likely to receive short shrift. But when Simon's old friend, Annandale, was informed of the circumstances, he reprimanded the Provost, sent his compliments to Lovat, drank a bottle of wine with him, and subsequently, on a report that Kenmure was approaching, desired Simon to "modell his horss and foot, having been in the army." The Major offered his services as a scout, and enjoyed himself vastly. The enemy and the danger passed; Annandale dismissed his men; and Lovat and his party proceeded on their journey.²

Next day they arrived at Lanark, where Simon "and his company" were made burgesses of the town. The Duke of Argyll being then at Stirling, Lovat instructed

¹ Hist. MSS., Com. Rept. 15, App. ix. p. 127.

² Major Fraser's MS., vol. ii. pp. 30-41.

the Major to request his friend, Brigadier Grant, who was also stationed there, to tell Argyll that he was on his way to the North to create a diversion. The Brigadier accordingly presented the Major to the Duke, who was equally surprised with Grant to hear that Simon was so near. Argyll asked the Major if he could trust Lovat. "Be in no concern about him," was the reply. ". . . If he offers to joyne the rebels, I can assure you of his head being sent you to Stirling."¹ Which was bombastic nonsense, as the Major well knew. But it served his purpose.

Lovat came to the Duke in the dead of night, when the Major's assurances were confirmed; Argyll was satisfied; and Simon received a hundred guineas from him to help him on his journey. "I must own," says the Major, "that his Grace had his doubts about the gentleman, as he has to this day."² But we prefer to believe the Duke's own statements, which show the sincerity of his belief in Lovat's conversion.

At Stirling, Simon met an old acquaintance in John Forbes of Culloden, son of the John Forbes who befriended him during his early troubles. Culloden arranged with Simon to sail from the Firth of Forth, the Duke having promised to place a warship at their disposal to take them to the Moray Firth. Hardly had Lovat reached his lodgings in the Grassmarket, Edinburgh, when he was arrested (showing how closely he was watched), but the Provost—a Campbell—having had instructions from *MacCailean Mór*, would stand no nonsense from a mere Justice-Clerk, and secured his immediate release.³ But the warship was not forthcoming, the Duke having sent an express to say that she could not be spared; so the voyage was performed in a vessel from Leith commanded

¹ Major Fraser's MS., vol. ii. pp. 41-45.

² *Id.*, vol. ii. p. 45. See Argyll's statements in subsequent chapters.

³ This was done by means of a trick, which was facilitated by Simon passing himself off as a "Captain Brown."

by one Captain Clark, a Portsoy man. Some firelocks, ammunition, and provisions having been put on board, they set sail from Leith on a bright, moonlit night, after having taken as passengers some Highland drovers returning from England with the proceeds of their cattle.

The Portsoy skipper soon showed his political colours. A boat came close to the vessel and fired a shot at her, which passed through the sails. The master proposed to the Major (who was keeping a sharp eye on him) to slacken sail to allow her to come up, alleging that she was manned by Jacobites, as he hoped his passengers were. "The Major immediately presented a gun to his breast and desired him to higher" (highest, *i.e.* hoist) "all sails, or you are a gone man." He then called up the drovers, who were "below dake" (the Major's phonetic spelling smacks of the heather), "and a parcell of very pretty fellows they were." Most of them being Mackays, they were presumably Whigs, otherwise they would not have been taken on board at all. Lovat and Culloden, who occupied the cabin, called out to know what was the matter, but the Major "commanded them to keep their room, he knowing by that time that they were seasick." Some parting shots were fired by the Major and his friends at the boat, which was soon left far behind.

The revelation of the skipper's political sympathies caused the Major to keep a closer watch on him than ever, and when they reached the Bay of Aberdeen, he prevented the master from holding any communication with the shore. But a contrary wind forced them to drop anchor in the Bay of Fraserburgh, where a consultation was held as to the best course to pursue. There was a Jacobite force at Fraserburgh, commanded by Lord Saltoun, a son of the man for whom Simon had erected a gallows in the days of his youth. It was obviously dangerous to land, but Culloden was so seasick that he

preferred to accept any risk by land rather than proceed further by sea. So Culloden, Lovat, and the Major were put ashore in the vessel's little boat (she could only carry three persons), and went to the best inn they could find, at about 10 o'clock on a cold night. They had just settled down comfortably to their burnt wine before a cheery fire, when the landlord entered the room with the news that Lord Saltoun was below, desiring to know who the visitors were. Here was a pretty kettle of fish! Lovat hurriedly addressed the Major in Gaelic, urging him to call all his resourcefulness to his aid to get them out of the scrape. The Major immediately went to Saltoun and, over a dram, told him that they were all drovers returning from England after selling their cattle; they were travelling by sea as being a safer mode of reaching home than by land—which, in the disturbed state of the country, was perfectly true. They were Mackenzies, Sutherlands, and Mackays, and the Major himself was a Macrae! Then Saltoun gave him some news in return. He told him that his chief, Seaforth,¹ had passed Fraserburgh on the previous day with 1300 men, to join Mar at Perth. Whereupon the Major demurely expressed his regret that he had not been at home to bring some money to his chief, who entrusted him alone with the sale of his cattle. "And what would you think, my lord, to drink to my chief's health and his cause?" Saltoun "frankly embraced" the Major's offer to drink a bottle of wine with him to the health of Seaforth and the "Cause." "Beginning at my Lord Marr and downward," they were soon boon companions.

Having thus hoodwinked the confiding Jacobite, the wily Major, "knowing his weak side" (after a few glasses), went a step further by inducing him to promise to provide horses to carry him and his friends to Banff for

¹ The Macraes, a Kintail clan, acknowledged Seaforth as their chief, whence the allusion.

a consideration. Saltoun at once gave the necessary instructions, and left the Major on an excellent footing of friendship. The latter had a further stroke of luck in discovering that the Town-Clerk, Alexander Baillie, was a cousin of his own, and having been taken into the Major's confidence, he proved a most useful accomplice. By two o'clock in the morning, sixteen horses, "such as they were," had been got ready, and the whole party—the others, *i.e.* John Fraser, with the servants of Culloden and Lovat, having apparently come ashore in relays—set off for Banff, not a minute too soon, for the skipper had given the alarm and search parties were out for them.

The rest of the journey was free from adventure, but at Rothiemay, the Major's talent for romancing was once more brought into requisition. Grant of Rothiemay was at Perth with Mar, but his wife sent two servants in order to satisfy her curiosity concerning the strangers at the little alehouse near her home. The Major met the servants outside the inn, "called for a muchgin of brandy," and told them they were going to Inverness to reinforce the Governor, Sir John Mackenzie of Coul. The mistress, on hearing this story, immediately invited the party to her house, but the invitation was politely declined with a plausible excuse. The hospitable Highland lady then sent "two sturdy fellows" to them with a present of two dozen of strong ale. The Major, in return, made the sturdy fellows "ly all night in their scaberts"—with the help of a bottle of brandy.

The party passed comfortably through the Grant country, Balindalloch acting as their host on the following evening. Then, in very wild weather, they came to the house of Hugh Rose of Kilravock, where Lovat stayed the night, "he being always tender of his carcass," while Forbes and the Major pushed on to Culloden House, which they reached on the following evening. Kilravock gave

Lovat the welcome news that there were three hundred Frasers at Stratherrick, who had refused to join Mackenzie of Fraserdale when he came out for the Chevalier. Simon charged the Major not to rest until he had brought these men to Culloden's house, where a rendezvous of the Whig clans was appointed to be held. When the Major arrived at the house, with its master, he found that the laird's brother, Duncan Forbes (afterwards the celebrated Lord Advocate and, later, Lord President of the Court of Session), had garrisoned the house strongly with Culloden's tenants, "who were better paid than the King's regulars."

Duncan Forbes attempted to dissuade Simon's henchman from travelling in such stormy weather ("a wilder night never blew"), but the Major was determined to obey his chief's orders. So, "with a good bottle of wine in his skin," he travelled the twenty miles by daybreak, arriving cold and hungry, but "soon recruited with a dram of agavitie." Questioned by the Frasers as to the terms on which Lovat had come home, the Major declared that he would tell them the truth. "Which be the by he did not, but dissembled with them all." He told them that Simon had received his pardon, and "the promise of his estate upon proper behaviour, if Fraserdale had gone to the rebellion." The Major would have us believe that had he told them the truth, "not one man of them would have joined." Desirous above all things of magnifying his services—that is the predominant note throughout his narrative—he makes a large assumption here, for it is unlikely that the men of Stratherrick cared two straws whether Simon had been pardoned or not. He was their chief, and they would almost certainly have followed him, pardon or no pardon. Next day, the Major led them in triumph to the house of Culloden, where, he tells us, there were 1300 (300?) Frasers gathered, with 300 of Kilravock's men, and 200 of Culloden's. The meeting between Simon

and his clansmen must have been of an affecting nature, and it is regrettable that we have no account of it from the Major's racy pen.

So, at length, Lovat was back among his faithful Frasers, and a new chapter in his career was about to open. Years afterwards, he was called upon to pay a sum of two thousand pounds, Scots, for "keeping up a party in the hills for five or six weeks waiting Lord Lovat's homecoming." But the money had been well spent.



JAMES FRANCIS EDWARD, THE OLD CHEVALIER.
 (By permission of the Editor of the *Celtic Monthly*, Glasgow.)

CHAPTER XXIV

IT would be hard to say whether mismanagement or misfortune played the greater part in the failure which consistently followed every attempt to restore the Stuart dynasty. Both factors were invariably present, and each contributed towards the invariable result. In 1715 the omens were more favourable than at any previous or subsequent period, notwithstanding the fact that France, exhausted by her recent struggle, and fearful of entering upon a fresh contest with England, would only consent to give secret help during the initial stages of the rising. When Louis the Magnificent lay dying, in August, 1715, Bolingbroke tried to cheer his Royal master by holding out the hope that the French King's death "might shuffle the cards which are pack'd against you and produce a run of good fortune."¹ Neither the prayers of the Church, nor Jesuits' bark, nor the waters of Bourbon, availed to stave off the death of His Most Christian Majesty, and when the end came, it was soon seen that the shuffling of the Jacobite cards had brought the unfortunate Chevalier worse luck than ever. He grew despondent, and his gloom was intensified by the news of the premature insurrection in Scotland, which at first he disbelieved, not doubting that his countermanding orders had arrived in time. A junction with England—Bolingbroke's simultaneous "fire-lighting"—was now his main hope, and preparations were being made by Ormonde to create a diversion by landing in the West. But James was not elated by the outlook.

¹ Stuart Papers, vol. i. p. 390.

"On the whole," he tells Bolingbroke, "I must confess that my affairs have a very melancholy prospect."¹ He had expected men from Sweden and money from Spain. But Charles XII. had finally excused himself in an "unanswerable reply" from aiding the enterprise, and the Spanish money was long on the way. As a crowning misfortune, Ormonde's plans for the proposed descent on the West were disclosed to the British Government by a Colonel Maclean in the French Service, who, there is reason to fear, was no other than Lovat's old correspondent, Sir Alexander, a man whom he never really trusted.² James had left Bar for St. Malo, where he was advised by Bolingbroke to remain privately until he received advice to go to Scotland. The breach between him and Berwick was now complete. Smarting under the refusal of his brother to proceed to Scotland, James was eager that Mar might "manage the thing successfully alone."³ In this hope, and as if to accentuate the contrast between the loyalty of Mar and the disobedience of Berwick, he created the former a duke.

There is an apocryphal story that in some church in the "Wild West" of the United States, a notice was placed in front of the performer on the American organ

¹ Stuart Papers, vol. i. p. 425.

² Sir Alexander was apparently the "Mr. Maclean" who, in or about 1708, was described by the Chevalier to Louis as "the only one of that nation (the Highlanders) now in France." The person described had fought at Killiecrankie, and had served in France for fifteen years. His proposal to the Chevalier was to form a select body of disciplined troops in the Highlands, as a nucleus for the intended rising (Hooke's *Negotiations*, p. 205, and pp. 199-210). There is no conclusive evidence that the Colonel Maclean who betrayed Ormonde was Sir Alexander; the proof is entirely inferential. Sir Alexander was serving with Villars in 1705 (Stuart Papers, vol. i. p. 204).

"Associated with Lord John Drummond in the abortive attempt to capture Edinburgh Castle in 1715, there was a Captain Maclean with a wooden leg (he had 'lost a leg at Killiecrankie') who, it appears likely, was 'Stump,' *alias* 'Pollux,' *i.e.* Sir Alexander Maclean. Captain Maclean was captured." (Grant's *Memorials of the Castle of Edinburgh*, 1862, pp. 160-2).

³ Stuart Papers, vol. i. p. 444.

which read, "Don't shoot the organist; he is doing his best." It is time that a protest of the same nature was made against the criticisms directed by historians against Mar's generalship. We are none of us infallible as strategists and tacticians, not even the most unmilitary of us; and it is conceivable that a worse commander might have been found than "Bobbing John" to lead an insurrection. He had had a nodding acquaintance with military matters, but not even in his moments of greatest exhilaration did he imagine that he was a Marlborough, a Berwick, or an Argyll. He became a general against his will, and, moreover, he was a general who had not even a commission until nearly a month after the standard of revolt was raised.¹ There was no one else to step into the breach. Berwick had refused the command; Atholl (whatever his merits may have been as a soldier) was no longer to be thought of; and a Highland generalissimo was out of the question. There was only one chief, Sir Ewen Cameron of Lochiel, whom the whole body of the Highlanders would have accepted as their leader. But the old man, who in his youth had repeatedly outwitted Cromwell's officers in the North, was now past active service, for he was eighty-six years of age (he died at the age of ninety). Glengarry had a good reputation as a soldier, but it is doubtful whether he would have proved acceptable to the Highlanders other than those of Clan Donald; and it is certain that the Lowlanders would have refused to place themselves under his orders. Mar is really to be commended for accepting, in the interests of his master, a most difficult post, and he tried to perform an unthankful task to the best of his ability. It was not his fault that, from being merely a stopgap for the Duke of Berwick, as was the original intention, he found himself by the pressure of circumstances forced into the command permanently.

He might very well have proved successful had luck

¹ Mar's Journal, p. 18.

come his way, in which case he would now be lauded as a capable soldier, instead of being ridiculed as a wretched boggler. He had excellent material at his disposal, and a more energetic commander would undoubtedly have used it to better purpose. Lord John Drummond's bold attempt to surprise Edinburgh Castle failed, but only by the merest chance; the tardy arrival of the Western and Northern clans at Perth disarranged Mar's plans for attacking Argyll; the complete failure of Brigadier Mackintosh's attempt to "light the fire" in the North of England was a disastrous blow to the "Cause"; and, to make matters worse, while there was a lamentable scarcity of money, arms, and ammunition in the Jacobite camp, there was a superfluity of explosive material in the *personnel* of the officers. All these things cannot fairly be laid to the charge of Mar's ineptitude. He may have been dilatory in attacking Argyll, but his calculations were upset by circumstances that lay beyond his control. And, beyond doubt, an unexpected factor to which at first he failed to attach due importance, was Simon Fraser's reappearance in the Highlands, with his sword drawn in the cause of King George.

The Chevalier was proclaimed by Brigadier Mackintosh ("Old Borlum") at Inverness on September 15. In spite of the remonstrances of a number of his most influential clansmen, who urged caution,¹ William, Earl of Seaforth, the young chief of the powerful Mackenzie clan, immediately decided to throw himself into the struggle, with all the ardent Jacobitism that he had imbibed in France, where he was educated. He was joined by 700 Skye Macdonalds under Sir Donald Macdonald, with small contingents of other clans, the combined forces numbering over 3000 men. Against this army, the Whig clans, under the Earl of Sutherland—some of whose men were armed with no better weapons than long spear-pointed poles—

¹ Addl. MSS. 28239, ff. 19, 20. See the present writer's "History of the Outer Hebrides," pp. 396-399, for an account of Seaforth's movements.

could make no stand, but they had retarded the Jacobite advance to Perth sufficiently long to cause serious embarrassment to Mar. Seaforth left 300 (or 500) men in Inverness under Sir John Mackenzie of Coul, and the capture of Inverness—the key of the North—was now the main object of the Whig chiefs. It was here that Lovat came upon the scene.

There are several accounts of the taking of Inverness, by far the most bombastic being that of Simon Fraser, written two and twenty years after the event, with the one object of emphasizing the brilliant services which he had rendered to the Government on that occasion. An allusion to the affair, written by him on December 1, 1715, shortly after the exploit, is more modest in its tone. He asserts, it is true, that “their was nothing done for y^e government till I took arms,” and that “I oblidge y^e rebels to desert this Town” (Inverness); but he gives credit to “y^e rest of y^e King’s friends” for having done their share in reducing “y^e neighbouring countreyes to y^e King’s obedience.” He adds, in this report, that “all my people whom Mackenzie of Fraserdale forced by open violence to go w^t him to Mar’s camp, deserted all and came and join’d me when they heard I was in my country, which made a great desertion in Mar’s army, and Fraserdale finding himself (a) Collonel w^out shouldiers went off for more (men) from Mar’s camp, and he pretends now to submitt himself.”¹

We shall see how far the credit of capturing Inverness (such as it was) belongs to Lovat. At a council held by the Whig chiefs in Culloden House, it was planned that the town should be attacked on the south by Forbes of Culloden, Rose of Kilravock, and a body of Grants, and that Lovat should pass through the Aird country, obtain as many Fraser recruits as possible, and then attack on the north side. When Simon reached the Ness, he performed a useful service by scaring away

¹ State Papers (Scotland) MS. in Public Record Office.

Macdonald of Keppoch, who, with 300 men, had come to reinforce the Governor of the town. Keppoch, says Major Fraser, "was only going to Inverness not to serve any King but to plunder—as he, ordinar, always was." Consequently, by means of the minister of Stratherrick, "as good a soildier as a minister," and by means also, probably, of a warning message sent by the Earl of Sutherland through Lovat, there was little difficulty in inducing Coll Macdonald to go quietly home, happy in the booty he had collected. "I chassed Keppoch Macdonald," was Simon's report to Lord Townshend.¹ The Major boasts of having been the means of inducing his chief to attack the town without waiting for his colleagues, the avowed object being to make it appear to Argyll and the Government that Lovat was "the first man that appeared in the field." The Major states, also, that it was on his suggestion that Simon sent an express to Perth, ordering the Frasers who had joined Mar to return home immediately; otherwise their houses would be destroyed by their chief and his followers. The express reached Perth two nights before Sheriffmuir was fought, and the call was answered by 300 Frasers—a serious defection for Mar.²

The capture itself was more like a series of scenes in comic opera than an incident in real warfare. The Governor, Sir John Mackenzie, was a son-in-law of Kilravock's; the attackers and the attacked were neighbours and friends; and neither side had the least desire to injure the other. Why, indeed, should Sir John wish to kill his father-in-law, or his friend Culloden, or the redoubtable Simon, newly returned from France, because a melancholy youth named James Stuart (or was it Stewart?), whom he had never seen, was anxious to regain a throne from which his father, very properly, had

¹ State Papers (Scotland) MS. in Public Record Office. Major Fraser's MS., vol. ii. pp. 69-71.

² Major Fraser's MS., vol. ii. pp. 71-73.

been driven? And why should Kilravock, or Culloden, or Simon, wish to slaughter their fellow-Highlanders for the sake of a "wee, wee German lairdie," who "hadn't the Gaelic," and (it was said) not even the English? If, now, either side had been *Sasgunnaich*, why then, the sons of the Gael on the other side would be ready for as pretty a ploy as they ever enjoyed under Montrose or Dundee. There was no blood-feud, as in the old days, to fan their fierceness, and as for plunder, the cows were in the Governor's park near Inverness, and they could help themselves.

They *did* help themselves, as Major Fraser informs us. The Governor mildly inquired why they had done so, to which inquiry a rude reply was given. The Governor seems to have thought that it was not playing the game for the besiegers to take his cows without asking his permission! When, three days after Simon's arrival, the Grants, Kilravock, and Culloden put in an appearance, the Governor deemed it wise to retire to the Tolbooth for fear of accidents. The comedy of the situation unfortunately took a tragic turn when Arthur Rose, Kilravock's brother, a man who had been "long a slave in Turkie," and was therefore not accustomed to polite warfare, attempted to force his way into the Tolbooth, and got shot for his pains—by a "ruffian," as Major Fraser quaintly puts it! This accident greatly distressed the Governor, and matters took an uglier turn, the besiegers threatening to attack the town in earnest. This was enough for the Governor, who promptly came to terms for the surrender of Inverness, which he and his men accordingly evacuated. They were allowed to return to their homes in Ross-shire, crossing the firth in boats, and the town passed into the possession of the Whigs.¹ Sir John Mackenzie, says the

¹ Major Fraser's MS., vol. ii. pp. 74-78. There is a good independent account of the capture of Inverness in "The Sutherland Book," vol. ii. pp. 53-61. Lovat's inflated version dated 1737 is given in "The Chiefs of Grant," vol. ii. pp. 352-358.

Major, "was not shapen to be a warrior, but a very honest man." Yet, four years later at Glenshiel, he showed that he was something of a warrior after all—when not fighting against his friends and neighbours.

Lovat states (in the account written to Ilay for self-glorification) that the capture "was the greatest piece of service that was done in this country to any King" for ages. Undoubtedly, it was of the highest importance to the Government to have possession of Inverness, and its capture was a source of serious embarrassment to the Jacobites. By a coincidence, it was surrendered the day before Sheriffmuir, or Dunblane, was fought (November 14, 1715); that battle concerning which Mar wrote the Chevalier what he called "a melancholy account." He found consolation in the statement that "we kept the field of battle, and the enemies retired to Dunblain." But whatever solid advantages were reaped from a fight in which, as a contemporary ballad has it, "we ran and they ran—and they ran and we ran," certainly pertained to "Red John" rather than to "Bobbing John."

Lovat received full credit for his share in the capture of Inverness. Writing to Lord Townshend on November 26, Argyll says, "I find Lord Lovitt's being in the North has been of infinite service to His Majesty. I am informed our people there have possessed themselves of Inverness, w^{ch} is certainly owing to him, and I am persuaded he will do all that is possible to spirit up our people there to make a diversion."¹ And indeed, Simon seems to have acted with considerable energy after his first exploit in the Hanoverian cause. He was appointed to the command of the Government troops at Elgin, and ordered the inhabitants by proclamation to remain loyal to King George, under pain of having their town burnt to ashes. While in Elgin, he was threatened with an attack by an old college friend, Gordon of Glenbucket,

¹ State Papers (Scotland) in Public Record Office.

between whom and Simon an interesting correspondence afterwards took place. "When all this is over," wrote Lovat, "men of honour will be known, and whatever comes, and tho' we should fight against one another, that will never make me forget our old comradeship." Glenbucket combined cordiality with sarcasm in his reply. "Bad companie," he said, in allusion to Simon's change of sides, "corrupts good manners. . . . All good men should forsake those who pretend and neither have honour nor honesty. I am very much concerned to be contrair to you, though I hope it will not be for long, for I am convinced you believe I have the just side."¹

A letter, dated December 22, from Sir Archibald Grant, who was with Argyll at Stirling, shows the importance attached to Lovat's past and prospective services to the Government. Simon's success, says Grant, is "the most agreeable news" he could have received, and he hopes the King will suitably reward him. Argyll desired him to tell Lovat to keep as many men together as possible to prevent his neighbours from rejoining Mar. There was no danger of Mar sending reinforcements to the Highlands. After Sheriffmuir, the Earl (Jacobite Marquis) of Seaforth had returned home to protect his country from the ravages of the Whig clans, and Argyll was anxious to have him cooped up in Ross-shire until the insurrection came to an end. The main Jacobite props in the North were Seaforth and the Marquis of Huntly, the Duke of Gordon's son. If they could be checkmated, the rest of the Jacobite clans would be disheartened, and Mar's following would be materially reduced in strength.

Spirited by Argyll's message, Lovat, in conjunction with the other Whig chiefs, prepared at a Council of War a plan of campaign against Seaforth, which met with entire success. Viewing the depressing outlook for

¹ Stuart Papers, vol. i. p. 492 and pp. 498-499.

the "Cause," Seaforth had lost heart, and was not prepared to continue the struggle against his neighbours and good friends, Whigs though they were. Therefore he came to terms with them in order to save his people. "Simon Lord Lovat, commanding His Majestie's forces near Inverness" bound himself by a formal undertaking, dated December 28, to engage the Earl of Sutherland, "L^d L^{tt} of the six Northern counties," to write to Court in favour of Seaforth, and to refrain from molesting him or his people, provided he disbanded his forces, released some Munro prisoners, and engaged not to take up arms against King George until the return of Sutherland's express from Court. Two days later, Seaforth signed a complementary undertaking.¹ Thus, for the moment, the Mackenzies and their dependents were rendered innocuous. The King was willing to accept Seaforth's submission if he surrendered within a reasonable period at Inverness, and remained there on parole. But this condition by no means met Seaforth's views. Mr. Lang states that "neither in the struggle of Montrose, nor in 1715, nor in 1745, nor in 1719, was the large clan of Mackenzie of much use to the Cause."² This presentment of the facts by the distinguished historian is demonstrably lacking in care. During Montrose's victorious campaign, the Mackenzies were not for, but *against* the "Cause," their chief having declared for it only after it was lost. In 1715 they were a source of considerable strength to Mar, and subsequently, if they were hampered by the Whig clans, they hampered the Whig clans in turn. In 1719 they formed the backbone of the rising, which without their aid would have been impossible. And in 1745, although the Earl of Cromartie brought some Mackenzies over to the Jacobites, the Seaforth of that time was of no use to the "Cause," for the good reason that he declared for the Government

¹ State Papers (Scotland) in Public Record Office.

² History of Scotland, vol. iv. p. 223.

and kept most of his clansmen out of the rising. "Stay at home and mind your own business," was his advice to them.

Seaforth's submission influenced Huntly, who wrote the Earl of Sutherland on January 9, 1716, stating that he had had a meeting with Lord Reay, chief of the Mackays, Colonel Munro, and Captain Grant, with the object of arranging terms. He wished Seaforth to tell him the particulars of his treaty with Lovat, adding suggestively that he expected daily to hear of the landing of the Duke of Ormonde in England.¹ The Chevalier's arrival in Scotland, in December, delayed the collapse of the rising. James was buoyed up with the hope that Seaforth and Huntly would re-capture Inverness, and then join him at Perth with their full strength.² Seaforth, particularly, was encouraged by the arrival of the Chevalier to make a renewed effort for the "Cause," and Huntly soon followed his example. General Ecklin was sent North to assist in the reduction of Inverness, and the Camerons, the Grants of Glenmoriston, and the Macphersons of Badenoch showed some willingness to join the fresh movement. The threatened attack drew a strong remonstrance from Lovat to "Pollok of y^t Ilk" (as he signs himself), the Governor of Fort William, against the supineness of the authorities. The Earl of Sutherland was about to go to Ross and Sutherland for men and provisions, and Simon was to have command of Inverness during his absence. The weather had been a great hindrance (it was an unusually severe winter) to the efforts being made to strengthen Inverness against the expected attack. "However," writes Simon, with a characteristically pompous flourish, "we're resolved to make our Graves in the streets rather than yield this place till it is in flames about our ears, and we will sell our lives as dear as we can, for we know that this place is the center of the rebellion and the

¹ Stuart Papers, vol. i. p. 486.

² *Id.*, vol. i. p. 484. Mar's views are given pp. 488, 489.

key of the North, and we are resolved to give all Marr's army, tho' it should come, a warm reception." He desires Pollock to send assistance himself, or to inform Argyll of their "cruel situation," for Huntly had threatened to lay the town in ashes. "But the wind of the Gordons will not make us desert this place. We are resolved to shed our blood in itt."¹ There was no finicking reticence about Simon's expressions of loyalty: he simply laid them on with the biggest shovel he could find. Major-General Wightman came to his assistance soon afterwards, and Simon did not make his grave in the streets.

About this time, strong efforts were made to bring Lovat over to the Jacobites. Writing to Huntly on January 18, Mar suggested his trying to detach Lord Reay from the Whigs. "And Simon," he adds, "has it now in his power to reconcile himself to the King, which I am not without hopes he will do, and if he did, it would make the work easy."² Glenbucket told Simon (January 28) that the King had asked him particularly about Lovat's behaviour. "None can persuade him that you will draw your sword against him."² Huntly, another old friend of Simon's, made a still more pointed appeal on February 2. "The King lately to me expresses so much regard towards you, that I'll be answerable there is no reward for merit can be reasonably asked but he will give you, if you will make that figure for him you now make against him. . . . The invitation I now give is both from the King and by his command. . . . I know most of the gentlemen and even commons of your name are loyally inclined, of which they have often given proofs, and nothing but their respect and love for their chief could have induced them to have shown themselves otherwise." Huntly reinforced the Chevalier's appeal with personal

¹ State Papers (Scotland) in Public Record Office.

² Stuart Papers, vol. i, p. 490.

³ *Id.*, vol. i, p. 488.

arguments on the score of "old acquaintance and friendship": he went the length even of promising that a share of his own estate would always be at Lovat's disposal.¹

That Simon's influence in the North at this period was extraordinarily great is vouched for by Mar, who states that Lovat was "the life and soul" of the Whigs at Inverness. "The whole country and his name dote on him. The Frazers have left us since his appearing in the country, and will all fight for him without entering into the cause."² And this was the man who, according to James Murray (whom St. Germain believed), could not find a single Highlander to follow him willingly! Lovat himself knew his countrymen far better, and predicted the adhesion of his clansmen. But he was not believed. He was now caressed by the Whigs, fawned upon by the Jacobites, and courted assiduously by James himself, who, little more than a year previously, had treated him with contempt. In doing so, the unhappy Chevalier had made a serious blunder, for which a heavy payment was exacted. The measure of that payment cannot be defined in precise terms; but there is sufficient contemporary evidence to show that had Lovat taken up arms for James, instead of for George, the "Fifteen" would have had a different ending from that which actually occurred. For Lovat would have carried the Frasers, and probably the Macleods, with him; and his prestige in the Highlands was such, that some of the waverers might have joined him as well. Beyond doubt, his accession to the Jacobite cause would have made an immense difference to the result. Quite conceivably, it might have altered the whole course of British history. James made a belated attempt to retrieve the mistake he had made in snubbing Lovat. And had he done so earlier, he might have been wholly successful. Lovat was now, as ever, a

¹ Stuart Papers, vol. i. p. 501.

² Correspondence of Hooke, vol. i. p. 91 (note).

Jacobite at heart. His vanity had been amply gratified by the flattering attentions he had received. His anger against James had been mollified by the Chevalier's obvious penitence. Finally, he succumbed to his inclinations. He promised to come over if the Chevalier would write him a letter, acknowledging that he had been misrepresented and wronged. James agreed to the proposal, and wrote the desired letter with his own hand.¹ But it was too late, for the 'Cause' was on the point of being abandoned. Accompanied by Mar, who forsook his army by the King's command, James sailed a few days later from Scotland, a country that he was never again to see. His letter of farewell to the Scottish nation is a pathetic document.²

Surely the Old Pretender—to give him his Whig title—was the embodiment of the ill-luck of the Stuarts. It may be well believed that with his temperament, he deemed it only "reasonable" that fortune should be unkind to him. For he was a fatalist in practice, if not in creed; his mind had a decided bias towards pessimism, which reveals itself in his words and actions. And yet his character was unquestionably well-balanced. The strength of his commonsense formed a bulwark against the encroachments of religious bigotry and intolerance, and the sincerity of his religious faith shielded him from the temptations to political immorality by which he was constantly beset. But though he had faith, he had no enthusiasm: though his honour was bright, his expression was dull; though his heart was warm, his manner was cold; though he intensely valued devotion to his person, he was conspicuously lacking in the arts of inspiring it. His followers in Scotland had stood sorely in need of a tonic (and some powder); and his presence had provided neither inspiration nor comfort. They had expected an

¹ Correspondence of Hooke, vol. i. p. 91 (note).

² Stuart Papers, vol. i. pp. 505-507.

effervescence of exhilarating heroics ; and he had given them a cold douche of passivity and resignation. They had hoped for a warrior, and they had found a priest. They had looked for a guiding star in the dark night of their trouble ; and lo ! the night had grown darker with the blackness of despair. They had expected too much, and they were bitterly disappointed. Nothing remained for them but to go home. And home they went.

CHAPTER XXV

THE Jacobite leaders tried to make their peace with the Government on the best terms that were obtainable. Huntly had already submitted. He seems to have received every consideration from the Earl of Sutherland and his colleagues, among the latter being Lovat, whom the Marquis thanked for his friendship.¹ General Gordon and other Jacobites petitioned Argyll to obtain an indemnity for those who were willing to remain peaceably at home, and liberty to go abroad for those who wished to leave the country. The Jacobites had an admiration for the Duke as a gallant soldier and a patriotic Scot. They must have bitterly regretted that he was on the "wrong" side. But they knew that, having conquered them, "Red John" would be the first to pity them, and that they could leave themselves in no safer hands than his.

Some of the Highland chiefs who had insular possessions (where they could hide in safety) still held out. The most notable of them was the youthful Seaforth, who had a place of refuge in the large island of Lewis, which was owned by him. The western chiefs, especially Seaforth, were encouraged by the arrival at Wester Ross of Brigadier Rattray with a fresh supply of money, arms, and ammunition; but they arrived too late to be of any real service. The "flames" had been extinguished, and

¹ One of the witnesses to Huntly's deed of submission is "James Fraser of Castle Leathes" (*sic*), *i.e.* Major Fraser. (Stuart Papers, vol. i. p. 516.)



JOHN, 2ND DUKE OF ARGYLL.

[To face p. 260.]

it was only the embers that still glowed fitfully in Ross-shire and the North Isles. To stamp them out became the duty of the Whig chiefs and the Government.

Some recognition was now being shown of Lovat's valuable services to the Crown. On February 17, 1716, Argyll wrote informing him, "with the greatest pleasure," that he had received the previous night a letter from Townshend, stating that he had been commanded by the King to make out Lovat's pardon. "When this" (the rebellion) "is over," added Argyll, "be persuaded that no man can wish more heartily that you receive further favours, for I well know you have honestly deserved them."¹ General Cadogan, who succeeded Argyll as Commander-in-Chief in Scotland (he was a "Marlborough" man, and therefore no friend of "Red John's"), wrote Simon from Aberdeen on February 26 in similar terms. He was very glad that Lovat's affairs "are ended at Court to your satisfaction." And he doubted not that Simon would continue to act with the same zeal and vigour against the rebels. The disarming of (particularly) Huntly's and Seaforth's people was to be proceeded with immediately, and Cadogan looked with confidence for Simon's advice and assistance in the execution of this matter.² And on March 4, Cadogan again acknowledges "the great services" of Lovat, as confirmed by Colonel Munro. He would employ his best offices to procure for him "the Recompense you so very well deserve." He asks him to give Wightman the benefit of his advice and help in disarming the rebel clans. "I must likewise intreat your Lordship to send me your thoughts concerning the properest measures to be taken for reducing the clans of Glengarry, Clan Ranalds, the MacDonalds" (he means Sir Donald MacDonald's branch, for Glengarry and Clanranald were

¹ Stuart Papers, vol. i, p. 514.

² State Papers (Scotland) MS. in Public Record Office.

also Macdonalds) "and the others on the western side, in case they pretend to make any resistance."¹

Lovat sent his "thoughts" on March 10. The rebellion would never be extinguished until "the rebels of those countreys be transplanted, or not only their chiefs, but likewise the leading men of every clan, be made prisoners and keep'd as hostages to guarantie the peaceable behaviour of their people." To carry out this policy, it would be necessary to have a body of Highlanders with the regulars, who would "hunt the rebels out of y^e Dens and woods and high hills, while the troops are masters of their plains and valleys." Three hundred active young men should be chosen from each of the five northern clans that were "out" for the Government. With these fifteen hundred Highlanders, some of the troops stationed at Inverness should march through the Fraser or Mackenzie country, and join hands with another force ordered to proceed by Fort William and the heights of Badenoch to Lochaber. The two parties should then fall upon the Glengarry and Clanranald lands, while ships of war watched the west coast and sent landing-parties to co-operate with the troops from Inverness in terrorizing the country. One, at least, of Lovat's suggestions was carried out by the formation of Independent Companies (the idea was originally conceived during the reign of King William), and these auxiliaries were found useful for police work; but his more drastic proposals were dismissed as being impracticable. In a letter to Stanhope of March 20, Lovat dilates upon the services performed by the Highlanders, "who wade y^e rivers comonly better than any horse," in co-operation with the regulars, some of whom were Dutch and Swiss mercenaries. He averred that it was clearly demonstrated

¹ State Papers (Scotland) MS. in Public Record Office. Colonel Munro confirmed Lovat's services, and it must be added that Lovat was not behindhand in confirming Munro's.

to Wightman that "Highlanders will be absolutely usefull for reducing y^e rebels." The object of the expedition was to show "His Majesty's clemency to y^e poor common people, of whom no more is desired than to live peaceably at home and bring in all their arms to y^e neighbouring garrisons." Simon's party captured a few men who were found in arms, and arrested the Earl of Cromartie and Mackenzie of Inchcouter by Wightman's orders; a step that rather "affrighted all y^e gentlemen of the Mackenzies, because most of them have aided and assisted in y^e Rebellion, as y^e E. of Cromartie and Inchcouter did."¹ As a fact, Cadogan's disarming of the Highlands was a farce. The wily natives concealed their best arms, and trooped in with antiquated weapons more fitted for a museum than for warfare. There was actually a good trade carried on in old muskets imported from Holland, which were solemnly handed over as Highland weapons of the most approved rebel type, and were generously paid for by the Government out of public money! It was what would have been called at the present day a "War Office scandal."

In the meantime Seaforth had fled to Lewis, leaving his affairs in the hands of his mother, a capable, managing woman, between whom and Simon an interesting correspondence took place in the month of April. Lovat had obtained a passport for Seaforth's young wife to go south, and Cadogan (now in Inverness) had promised to write to Court in her favour. Cadogan placed his horses and coach at the dowager's disposal, her own having been taken away by Wightman, with whom Cadogan was "very angry" for so doing. The Countess was anxious to know what Cadogan would do for her son.

¹ State Papers (Scotland) MS. in Public Record Office. There are some receipts at this period for payments made for arms supplied to Lovat's men. One of them is for £150 "to be paid to the tinkers for 300 targets received from them" (Stuart Papers, vol. i. p. 508 and p. 513). This shows the source of supply, and the prices of common targes in Inverness at the time.

Simon spoke to the General on the matter, and was told that he could do nothing except receive him on mercy, and send him south as a prisoner. Cadogan, hearing that the Mackenzies had not yet given up their arms, was about to put "all y^e country in flames," but was dissuaded by Lovat, who begged him to give them a few days longer. If they still proved stubborn, the whole of the vast Seaforth estates on the mainland would be devastated, and ships would be sent to Lewis to destroy it. It was essential, therefore, that the Countess should take immediate steps to prevent this calamity, and the Earl of Cromartie would go to Brahan Castle to advise her what to do. An immediate reply was required by Cadogan. The Countess thanked Lovat for his friendliness, and informed him that she had sent expresses to all the parishes, charging the people to deliver their arms. This message gave much satisfaction to Cadogan, who replied that he would still send his men, but would order them to do "no harm," if the weapons were brought in. "Glengarry," adds Simon, "came in last night."¹ Probably there was a good deal of bluff in Simon's warning letter to the Countess. It is not easy to say what his real sentiments were towards Seaforth at this time.

Lovat was granted a full and complete pardon on March 10, 1716,² and was immediately urged by some of his friends to come to London to receive at the hands of the King, what Stanhope cautiously phrased "suitable marks of his favour." They assured him that the Court was so well disposed towards him that he might come when he pleased. "Our enemies," writes Ilay to Simon (he alludes more particularly to those of his brother), "have of late been very busie, but it's very possible that their plotts may turn upon themselves."³ Alas for Argyll!

¹ Addl. MSS. 28239, ff. 38, 40, 41, 43, 45, 50, 53.

² Hill Burton's Lovat, p. 114.

³ Culloden Papers, p. 44.

his enemies in the end proved too strong for him. This gallant soldier and good man was shamefully deprived of his posts by the malice of his slippery rival, Marlborough, and his creatures.

Simon got leave from Cadogan on April 7 to go to London, and he was in Edinburgh on April 9. He was in sore trouble at the time, owing to the illness of his brother, John, to whom he was tenderly attached. Dr. Wellwood and Secretary Stanhope "could not read your concern for your brother without crying"—so wrote Wellwood on April 3.¹ And towards the end of the month, his brother, then lying at Major Fraser's house, "received extreme unction," which appears to mark the time of his death. Lovat had previously sent a priest to administer the Sacrament to the sick man, from which circumstance the discovery was made that Simon was a "Papist."² And his brother had also become a convert at Bourges,³ notwithstanding Major Fraser's assertion that he was "a very good man and a sound Protestant, tho' he had been some time in France."⁴ Lovat attributes his death to "his fatigue and drinking this winter, and sudden quitting of it." This letter was written to the Earl of Sutherland, whose son, Lord Strathnaver, was also killing himself by his hard drinking.⁵

The main object of Simon's visit to London was to obtain a gift of the life-rent, valued at about £500, of the much-encumbered Lovat estate, as well as a gift of the escheat of the movable property of Fraserdale, and of a penalty of £500 imposed upon the latter in the previous October, for non-appearance to answer a charge of high treason, consequent upon his having joined the rebels. All these were now in the gift of the Crown, and Lovat

¹ Stuart Papers, vol. ii. p. 87.

² Culloden Papers, p. 52.

³ Addl. MSS. 31252, f. 266.

⁴ Major Fraser's MS., vol. ii. p. 24.

⁵ The Sutherland Book, vol. i. pp. 379, 380.

memorialized the King for their possession as a reward for his services. He tells Duncan Forbes, on June 23, that he had had that day a private audience of King George, when he took the opportunity of speaking up for the Argyll family, describing the Duke and his brother as "the two prettiest fellows in Europe." On June 28, he writes that the King had granted him that very day a gift of the escheat. On July 3, Stanhope ordered the Lords of the Treasury to prepare the necessary warrants, and on August 23 the grant was received by Lovat.¹

Fraserdale was one of the first of the Jacobites to surrender after the rising had been quelled. He was tried at Carlisle in December, 1716, and found guilty of high treason, notwithstanding his ingenuous plea that he had been carried to Mar's camp as a prisoner, and had made his escape before the battle of Dunblane was fought.² But his friends, notably Atholl, moved in his favour, and he was subsequently pardoned.³ It was declared at Fraserdale's trial that Lovat had seized the life-rent, "and" (it was quaintly added) "will probably be desirous to continue in possession." So "desirous" was Simon to remain in possession, that when a withdrawal of his newly-acquired gift was threatened, he uttered dark hints about resisting by force, "leading to the old trouble."⁴

For a short time, the escheats gifted to Lovat certainly lay in the balance; for, by the decree of exception, the estate was declared not to have been forfeited.⁵ The friends of his rival exerted themselves to procure a resumption of the rents in favour of Fraserdale's wife. In

¹ Culloden Papers, p. 55; Treasury Papers (1714-1719), pp. 222, 223, and p. 262; Collection of Papers in Lovat cases.

² Stuart Papers, vol. ii. p. 113; Addl. MSS. 6116, f. 91. Hill Burton (p. 119) states that Fraserdale "made his escape, and was not tried for high treason." This error has led him into a wrong hypothesis in relation to the forfeiture of the Lovat estate.

³ Collection of Papers in Lovat cases.

⁴ Culloden Papers, p. 70.

⁵ Collection of Papers in Lovat cases.

September, 1716, before the trial, Lovat was busy making his life-rent secure, but in the following January, he alluded to it as "the most precarious thing on earth." He complained to Duncan Forbes that Ilay's "refined politik" had hindered Argyll from helping him in the matter. "I never found y^t any fr^d would do for me what I would for him except my d^r Gen:" (his facetious title for Duncan was "the General," and for himself "the Corporal"), "who is generous and great in his soul above all the Dukes and Earles in Brittain."¹ The question of the life-rent was finally decided by the House of Commons in Simon's favour, in June, 1717, after "a debat, w^{ch} lasted two hours." Simon's opponents (he had the "Squade" against him) were pleased, writes Culloden to his brother, "to belch out a great many scurrilous reflections against Lovat, but all to no purpose; the gift subsists, in a great measure owing to Walpole and honest Mr. Smith, who would not desert Lovat."² Simon was appointed by an order dated "Inverness, February 4," (1716?) to receive the rents of the estate forfeited to the Crown "by the open rebellion of Mr. Alexander Mackenzie of Fraserdale,"³ so he would appear to have been recognized as the rightful recipient of the escheat some months before it was formally gifted to him. He had also taken charge of Fraserdale's plate, which General Wightman (a gentleman who had a keen eye for plunder) obtained by threats, during Lovat's absence, from the Provost of Inverness. But Wightman claimed half of the booty, and refused to hand it over to Simon until he received the cash equivalent.⁴ Additional honours conferred upon Lovat, when in London, took the form of two commissions from the King, both dated June 8; one appointing him "Governor of the Castle and Fort of

¹ Culloden Papers, p. 70.

² *Id.*, p. 72.

³ Addl. MSS. 14854, f. 71.

⁴ Culloden Papers, pp. 48, 49.

Inverness," and the other, Captain of an Independent Company of Foot.¹ In the preceding February, he had been made a deputy-lieutenant, and was selected by the Earl of Sutherland to disarm all the inhabitants of the burgh of Inverness, except those belonging to the regiment of militia stationed there.²

The fatal facility of Lovat's pen, and his inveterate habit of gasconade, newly stimulated by recent events, led to a quarrel between him and the Earl of Sutherland, which terminated the intimacy of their friendship. It would appear as if Simon had been goaded into depreciatory statements about Sutherland, by credit having been given to the Earl for services performed mainly by Lovat himself. When congratulating Lovat on "the very great important service" performed by him, Sir Archibald Grant significantly added that it had been put abroad "as if nobody but Sutherland and his friends had acted our part."³ The truth is, that Sutherland did comparatively little to suppress the rising in the North, although his loyalty was beyond question. He was defeated by Seaforth when he attempted to prevent his march to Perth; he was not present at the taking of Inverness; and it does not appear that he was very desirous of coming to close quarters again with the young chief of the Mackenzies after his return from Sheriffmuir. One of the most effective weapons in dealing a final blow to the rebellion was Simon Fraser's smooth tongue. He persuaded the credulous Seaforth that Huntly had gone behind his back to make a separate peace for himself; and Huntly was similarly duped into the belief that Seaforth meant to desert him. Thus confidence between the two hopes of the Jacobites in the North was destroyed; a junction between their forces was frustrated; Inverness was saved;

¹ Stuart Papers, vol. ii. p. 225.

² *Id.*, vol. i. pp. 538, 539.

³ *Id.*, vol. i. p. 482.

and the last hope of the Chevalier and Mar was dissipated. For their main hope was that Seaforth and Huntly would retake Inverness, and rejoin them with their considerable following, upon which they relied to put fresh life into the rising.

Notwithstanding Sutherland's modest share in quelling the rebellion—he was of course the responsible man in the Northern Highlands—we find him writing that “God was pleased to make use” of him as an instrument to prevent the junction of the Northern Jacobites with Mar, “and that long before the Lord Lovat and some other assuming gentlemen came to the North and joined me.”¹ Lovat's statement that “their was nothing done for y^e Government till I took arms” shows the rock upon which his friendship with Sutherland split. The statement is not quite accurate, for Seaforth was certainly detained in the North by the threatened attack of Sutherland, and did not venture to move until he had received an accession of strength. But it is, on the whole, rather pitiful to find two men of their quality squabbling over the apportionment of the credit for having done their duty; an arduous duty, no doubt, but attended with little personal danger to either of them. The truth is, they were jealous of one another, and where jealousy is allowed full play, big men become extraordinarily small. Marlborough's jealousy of Argyll is a notable case in point.

In his correspondence with his London man of business, Alexander Fraser, Simon had magnified his own exploits at the expense of Sutherland, and the London coffee-houses rang with his fame, based upon the reports sedulously spread by his own agent. Sutherland traced these reports to their source, and wrote Lovat about them, whereupon Lovat, whose lack of caution in his letters was really astonishing, used such strong language about his clansman in his reply that the Earl was induced to send

¹ The Sutherland Book, vol. i. p. 335.

for the "notorious villan." They showed one another the letters each had received from Simon, and then there was a boiling over.¹ By these letters Lovat had added two men to his list of enemies, and both were capable in their way of doing him considerable harm. But Sutherland would hardly stoop to injure him in the pettifogging manner of Alexander Fraser, who went to the Duke of Roxburgh, the Secretary for Scotland, accompanied by "the little rascall" of a valet, and made an affidavit about Simon, stating that he was a Jacobite, a Roman Catholic, "a very dangerous man and not to be trusted." Major Fraser was to have had two hundred guineas (who provided the money?) to give similar testimony,² but the Major had not yet quarrelled with his master.

All this took place after Lovat had written Lord Strathnaver, on April 3, 1716, congratulating him on "the glorious and great reception" his father had had in London. There is a sub-acid flavour about this letter, and its phrasing is so self-depreciatory as to constitute a beacon of warning.³ Matters reached a climax when Lovat, then in London, was appointed Governor of Inverness, and failed to acknowledge that the appointment was due to Sutherland's interest. Instead of this acknowledgment, he had a paragraph inserted in the *Flying Post*, stating that the appointment was given as a reward for his services in capturing Inverness. Sir William Gordon espoused Sutherland's quarrel, and hot words passed between him and Lovat in the Smyrna Coffee-House. A meeting was arranged for the following morning in Marylebone Fields, Rose of Kilravock acting as Simon's second. But they had barely taken their places when a man with a loaded gun appeared upon the scene, and threatened to shoot the first who drew his sword. The

¹ Major Fraser's MS., vol. ii. pp. 88-90.

² *Id.*, vol. ii. pp. 90, 91.

³ The Sutherland Book, vol. i. p. 355.

seconds expostulated; Gordon blustered and swore at Lovat; and Lovat blustered and swore at Gordon. But the man with the loaded gun held them all up, and before he was got rid of, six other men had arrived. So the duel never took place. Who the man with the loaded gun may have been is of no consequence, but, according to his statement of the affair, he was hired that very morning by some one whose name he was not permitted to disclose, to act the part he had played.¹ And the inference which has been drawn, perhaps unfairly, is that he was hired by Lovat.

While these events were happening, Simon was preparing once more to get married, the death of his brother, John, having probably accelerated the design. His choice was Margaret, sister of Brigadier Grant of Grant, and it was a match that Argyll and Ilay promoted with all their power, Simon having assured them that one of his chief motives in marrying was to secure for the brothers the joint interest of the North. They promised that one of them would speak to the King and obtain his approval. "Lord Lovat," wrote Argyll to Colonel Grant of Balindalloch, with whom the prospective bride was then staying, "is one for whom I have w^h good reason the greatest esteem and respect."² The lady's host was earnestly desired to use his influence to bring about the marriage. For Simon had a rival in the person of Duff of Drummuir, and diplomacy was needed in so delicate a business. "The affair is of great consequence to all of us," was the view of the brothers; hence their interest in it. Ilay was in some doubt about the risk of "a pursuit of adherence" by "y^e other person" (the dowager), but Simon re-assured him on that point, stating that the lady had denied the

¹ The Sutherland Book, vol. ii. p. 218. The outcome of this foiled duel was a serious one between Major James Cathcart and Mr. Gordon of Ardoch, in which Cathcart was killed (p. 219).

² Culloden Papers, p. 59.

marriage in Court, and that the minister who had performed the ceremony and the witnesses were all dead.¹ Ilay mentioned incidentally that an annulment could only be lawfully made by the Commissary Court, the necessary inference being that the Court of Session had acted *ultra vires* in dissolving the marriage. But all objections, including the rival, were finally removed, and at length, in December, 1716, Lovat got what he wanted—an alliance with one of the powerful families in the North. The marriage was celebrated with great festivities, even for a Highland noble, which is saying a good deal.²

¹ Culloden Papers, pp. 55, 56.

² Chiefs of Grant, vol. i. p. 330, and pp. 350, 351.

CHAPTER XXVI

THE failure of the "Fifteen" was followed by the search for a scapegoat that usually succeeds a disastrous campaign. On this occasion, Bolingbroke was the minister who suffered; but he suffered for his own sins as well as those of others. His dismissal in March, 1716, gave rise to various conjectures by his contemporaries as to the cause, and even at the present day, historians are at a loss to assign a wholly adequate reason for the occurrence. Berwick, who believed in Bolingbroke, attributed his disgrace to the intrigues of a cabal; and beyond doubt, the influence of Queen Mary, Mar, and Ormond, "that disliked his low conduct,"¹ was not without weight. James, himself, stated that he dismissed him owing to a report by a confidential agent from England. The nature of the report has not been disclosed; but it may be guessed. It must have been something worse than the neglect to send a supply of arms and powder; and James may have been too chivalrous to make public the circumstances. Lord Stair, the British Ambassador in Paris, alludes to the event in a sentence that would appear, on the face of it, to furnish a conclusive explanation. "This last week," he reports, "we have been entertained with Bolingbroke's disgrace *for having betrayed the Chevalier and kept correspondence with me*. The seals were offered to Lord Mar, who refused them because of his not speaking

¹ Stuart Papers, vol. i. p. 79.

French.”¹ But Mar accepted the seals, his bad French notwithstanding. He was professedly attached to the person of James; but Bolingbroke cared only for party interests, and appears to have despised the Chevalier as a priest-ridden weakling.

According to a “foreign correspondent” of the spy, Ker of Kersland, the Chevalier was preparing in earnest for a fresh visit to Scotland early in August, 1716. Ker sent two men to the Highlands to find out what was going on there, and their report was that ships had recently arrived with arms and ammunition. A relative of Sir Donald Macdonald of Sleat had landed with a supply of money, and it was proposed to hide the arms in the remote island of St. Kilda, the property of Macleod. James had sent a manifesto, “which is in England just now,” and there was also a circular letter from the Duke of Ormonde.² If any such design was really on foot, it must have been speedily dropped on the arrival of a batch of Highland refugees, who arrived at Rouen early in August. They had surprised and forced a barque, which was sailed by Captain Tulloch, “a brave lad” who had had some exciting experiences in the Outer Hebrides earlier in the year. These fugitives—“all the deserters” as they are unjustly called—must have convinced the Chevalier of the futility of a further attempt at that season. It had been hoped that a show of resistance would have been maintained in the Isles until a fresh rising could be organized; but, even had that been possible, it was surely expecting too much of human nature to suppose that these men would trust themselves again to the muddlers of St. Germain, without such guarantees as would afford them a reasonable prospect of their efforts being of real utility to the “Cause.” Sir Donald Macdonald

¹ Miscellaneous State Papers, vol. ii. p. 552. The Jacobites were afraid of Bolingbroke “truckling” with Stair (Stuart Papers, vol. ii. pp. 62, 79).

² Stowe MSS. 229, ff. 39-41.

had been driven from Skye, and Seaforth from Lewis, by detachments of troops, and the outposts of the Jacobites having thus been forced, it is difficult to discover a nucleus around which resistance might have centred. The fire in the heather had been completely extinguished, and the embers had been stamped out.

There is an allusion in a letter, addressed by Stanhope to Lovat, and dated October 29, 1716, which probably relates to the rumours of a renewed Jacobite attempt in the North. The Secretary approves of Simon returning from London to Scotland "if any ill designs are carrying on there." Lovat seems to have taken considerable pains with the Company under his command. He had his men well-armed, and well-drilled. He asked Duncan Forbes to insert a paragraph in the *Courant* about a grand review in which he had taken a prominent part as Governor of Inverness. "I do assure you y^t it is a terrification to y^e Jacobites, and y^t my staying here frights them."¹ His "cusine" Clanranald had just landed in his own country with arms, and was treating with Glengarry—so he had been informed by Glengarry's cousin. Lovat's gift of the Fraserdale escheat was at that time in danger, and he was anxious to have his loyalty and his usefulness advertised by means of a newspaper paragraph. He had defended Duncan Forbes from an absurd charge of Jacobitism, and it was now Duncan's turn to give him a "puff." It would appear that Simon had nothing to learn from modern self-advertisers in the art of "log-rolling."

He was in great favour at Court during 1717. A news-letter of November 14, gives the following interesting item concerning him and his rivals—

"The Duke of Atholl has received no marks of favour at Court, but Lord Lovat has very great ones ; a pension of £500, constant admission to the King, in spite of the Duke of Roxburgh, and others, and one of the most

¹ Culloden Papers, p. 71.

frequent guests at the Royal Table, to the great mortification of the Duke of Atholl."¹

The tables were turned with a vengeance! Atholl really deserved more considerate treatment. For there is evidence to show that when the rebellion actually broke out, and by the force of circumstances, he found himself compelled to take a definite stand on one side or the other, he decided to serve the Government actively. He wrote to the Earl of Sutherland, proposing that he should bring two or three thousand men down to Perthshire to join him. To this letter, Sutherland, obviously distrustful of him, made no reply. Atholl's son, Tullibardine, had induced a great many of his clansmen to join the rebels, "which," said his father, "it was impracticable to prevent."² Thus, for the second time, his men had refused to follow him on the anti-Jacobite side, the first occasion being when (as Lord John Murray) he opposed Dundee. A contemporary account bears witness to the apparent sincerity of his disappointment, when the men whom he had collected to fight for King George, dropped off and joined Tullibardine to fight for King James. They refused to follow the Duke, unless he led them "to restore the King and the kingdom to its antient independent liberty." The Duke, incensed by their disobedience, seized a gun and fired at them, and "brock a poor fidler's bou hand." As his men marched off to join Mar, "his Grace returned and cryd lik a chylde."³ Either he must have been an uncommonly good actor, or he was really anxious at the last moment to throw the whole weight of his influence on the side of Hanover.

About this time, the first of the numerous law-suits that occupied Lovat's mind for the rest of his life was commenced. The creditors of the estate sought to

¹ Portland Papers, vol. iv. p. 538.

² The Sutherland Book, vol. ii. pp. 45, 46.

³ *Id.*, vol. ii. p. 208.

establish their case that the escheat, of which Simon had a gift, was burdened with the debts owing to them—a contention which Lovat strenuously resisted.¹ The Court of Session decided against Lovat, but the decision was ultimately reversed on appeal to the House of Lords. During the interval between the two decisions, the creditors sent a factor to collect the rents; but he had his barns and granaries burnt, and worse might have happened had he remained. Another suit was that of Archibald Dunbar of Thunderton, from whose stables nine horses, some of them valuable, had been taken by force in February, 1716, by a party of Frasers. The moving spirit in this affair was our old friend, the Major, who, however, maintains a discreet silence on the occurrence in his entertaining manuscript. The horses were handed over to Lovat, apparently under a judicial process, and though three of them were restored (we find Huntly writing to Simon, asking him, as a favour, to return to a certain lady, a mare “now in your stable,” taken from Thunderton) the others were kept. Soon after the horse-lifting, two funerals took place, those of Sir Hugh Campbell of Calder and John Fraser, Simon’s brother, and in order to make as imposing a display as possible, Lovat and his retainers, on each of these occasions, used the pick of Thunderton’s horses. The latter were identified as Thunderton’s property, and in the law proceedings that followed, the witnesses who appeared for the prosecutor had no difficulty in bringing home the charge against the Frasers. Not until six years later was a “decreet” obtained in favour of Thunderton, but he never succeeded in recovering the amount. The debt descended as an asset to his heirs, and by 1761, the amount, considerably increased by

¹ Collection of Papers in Lovat Cases. Among the claims made on Lovat was one by Fraserdale’s son for aliment. Also, the portions due to the late Lord Lovat’s daughters, secured by a bond of provision, had not been paid, and Simon was sued for the amount due. Further, there was the question of the dowager’s jointure and annuity. Simon’s “rose” had its “thorus.”

interest, still remained unpaid.¹ But these excursions in law were only preliminaries to the more important cases that taxed Lovat's ingenuity to the utmost before they were settled. We shall glance at them later on.

When he was in London, in 1718, attending to his law business, he fell dangerously ill of fever. So ill was he, that once more he believed his end had come. He addressed a lengthy letter (dated April 5) to "the Honourable, the Gentlemen of the name of Fraser," brimming over with patriarchal affection towards his kindred, and containing passages of genuine eloquence and pathos. It is written throughout in a strain that is foreign to his customary manner (though the "old Adam" occasionally shows himself), and it gives expression to the sentiments that undoubtedly lay nearest to his heart. He asserts that "the greatest happiness I proposed to myself under Heaven was to make you all live happy, and make my poor commons flourish." He recites his good intentions towards them, and towards his "poor commons," for whom he did design that "they should always be well-clothed and well-armed, after the Highland fashion, and not to suffer them to wear low-country clothes." He conjures his kinsmen to remain staunch to the "great Duke of Argyll, his brother, and that noble family (the Campbells) who were always our constant and faithful friends. If it be God's will that for the punishment of my great and many sins, and the sins of my kindred, I should now depart this life before I put these just and good resolutions in execution," yet his friends must see to it, that the estate shall remain with the heirs-male (the Inverallochy family), otherwise they will all sooner or later be chased out of their country by the Mackenzies and the Macdonalds. Should that dire event happen, the wives and children who

¹ Introduction to Major Fraser's MS., vol. i. pp. 79-84; Fraser-Mackintosh's Antiquarian Notes (1st series), pp. 47, 48; Stuart Papers, vol. ii, pp. 168, 280.

remain will curse them "even as most of Scots people curse this day those who sold them and their country to the English, by the fatal Union, which I hope will not last long."

He desired that this letter should be kept in a box at Beaufort or Moniack, and read once a year by the heir-male, "or a principal gentleman of the name," to "all honest Frasers that will continue faithful" to the duty which he had imposed upon them. The letter was dictated to, and written by, "the little French boy that's my servant"; he was too unwell to write it with his own hand. He adds, as a postscript: "It contains the most sincere sentiments of my heart, and if it touch my kindred in reading of it as it did me while I dictate it, I am sure it will have a good effect, which are my earnest prayers to God."¹

When a man acknowledges that his "great and many sins" deserve punishment, there is surely hope for him. Unfortunately, Simon's penitence was of "the devil was ill" order—it passed away with his fever. Not many years had elapsed before he was using a string of Lovatic adjectives (of the abusive order), towards the very men whom in his penitential mood he was hugging to his heart. It is, however, worthy of notice that in his letter he attributes the dispute which, even by that time, had occurred between himself and "Alexander Fraser of Phopachy and James Fraser of Castle Ladders" (the Major), to "our mutual hot temper"—another sign of grace. Lovat's fiery temper certainly ran away with his tongue and his pen, in a way that he must have frequently regretted after cooling down.

The events of the following year roused the latent Jacobitism in his blood. The damp squib of a rising known as the "Nineteen" was as the scent of battle to the old war-horse. The death of Mary of Modena was

¹ Mrs. Thomson's *Memoirs of the Jacobites*, vol. iii. p. 521.

a sad blow to the Jacobites in France, for her pension had died with her. They were ready for any desperate undertaking, and at length the means was provided for giving effect to their desires. The fresh attempt on the House of Hanover was instigated mainly by Cardinal Alberoni, the astute Italian who ruled the destinies of Spain, and whose object was to humble England. A descent upon Scotland was planned, to concur with the invasion of England by 5000 Spaniards under the Duke of Ormonde. The leaders of the Scottish expedition were George Keith, the Earl Marischal (his brother James joined him in Scotland), the Marquis of Tullibardine, and the Earl of Seaforth. Accompanied by a force of about 300 Spaniards, they sailed from San Sebastian in two Spanish frigates, with a supply of arms, ammunition, and money. They landed at Stornoway, the capital of Seaforth's large island of Lewis, and discussed a plan of operations. The main question to be decided was whether they should await the news of Ormonde's arrival in England before taking the offensive, or immediately make a dash upon Inverness, which was garrisoned by only 300 men. It was finally decided to attempt the capture of Inverness, and, if successful, wait there for reinforcements, though this decision was "plainly against the grain" of Tullibardine, in whose favour Keith had relinquished the command, upon the Marquis having produced a commission superior to his own. But after they reached the mainland, the result of divided counsels soon showed itself; and Tullibardine's policy of waiting to hear the news of Ormonde's arrival was imposed upon the others, and ultimately prevailed. While the leaders were in a state of indecision, Seaforth offered to send, with the Spanish auxiliaries, 500 of his clansmen to capture Inverness, the garrison there being still unaware of the landing of the Jacobites. Seaforth had previously supported Tullibardine's policy, and it appears probable that the change in his views was due to a letter which he is alleged to have

received from Lovat, urging him to come down to Inverness with his men, when he would join him with his Frasers. But Tullibardine opposed the suggestion, and by the time the news was received that Ormonde's fleet had been scattered by a storm, a body of troops under Wightman was hurrying westward with the object of smothering the fire of the rebellion before the flames could spread. That object was achieved by the action at Glenshiel, fought on June 10, 1719, when the Highlanders were dispersed and the Spaniards surrendered.¹

There is an extraordinary discrepancy in the reports of this action as to the number of men engaged on each side, but it is clear that the Jacobite resistance was practically confined to Seaforth and his followers. The most recently published contemporary accounts of the engagement differ from their predecessors in some important respects. They are two in number, one dated June 22, and the other June 27, 1719, both unsigned but obviously written by persons who either took part in the action themselves, or received the accounts from those who did. The Jacobite camp was in the pass of Glenshiel, and upon the approach of Wightman, the Highland wing (under Lord George Murray, Tullibardine's brother), posted on a hill on the south, was attacked by the enemy and quickly smoked out by their mortars, "a new machine of General Coehorn's invention," which fired the heath and woods about them. Wightman then turned his attention to the wing under Seaforth, consisting of 400 men, who were posted on a hill on the north. Seaforth led his men "in his Highland habit, and fought amongst them at the same time without any distinction." He held his ground until nine in the evening against a superior force, and without

¹ In the *Memoirs of Marshal Keith* (pp. 39-52) a good account is given of the Glenshiel affair and the disagreements that preceded it, though allowance must be made for the fact that Keith was making out a case for his brother, the Earl Marischal, Tullibardine's rival.

receiving any assistance from the main body under Tullibardine, "though earnestly and frequently desired." His men, wearied with the long resistance, and their ammunition being all spent, finally fell back upon the main body. Seaforth himself was twice wounded, the second time when waving his sword "to rally them" or (according to one of the accounts) when giving orders "for all to fall on sword in hand." Had he been adequately supported, or had his ammunition lasted, he "would probably have ruined the enemy," of whom a considerable number were killed or wounded, while Seaforth's loss did not exceed six or seven men. "Our General (Tullibardine) refused with his body to engage, alleging he had no orders from the King to fight." Instead of fighting, he ordered Rob Roy Macgregor to blow up the magazine and carry off the baggage, "of which he took more than fell to his and the General's share."¹ If that is a fair statement of the facts, it need occasion no surprise that Tullibardine refused to accept the suggestion of entrenching himself and resuming the contest next morning. Instead of doing so, he insisted upon the dispersal of the Highlanders, and the capitulation of the Spaniards to Wightman. "An Achan in the camp," suggests one of the two writers. When reporting the affair to the Chevalier in August, Seaforth refused to say by whose fault affairs were brought to a "low ebb," but he does say that his were the only men engaged at Glenshiel, "and those but few, tho' a good many standing by."² There were, in fact, too many spectators and too few fighters present. There were a good number of onlookers on the tops of the hills, "viewing at a distance, who concerned themselves with neither party."

¹ Portland Papers, vol. v. pp. 584-587. Keith (Memoirs) states that, before Wightman arrived, Tullibardine wished to return to Spain at once, and that the Earl Marischal, fearing he would renew the proposal, sent the two frigates home—only just in time to avoid their capture by three English warships of superior strength.

² Scottish History Society, vol. xix. pp. 273, 274.



WILLIAM, 5TH EARL OF SEAFORTH.
(By permission of Colonel Stewart-Mackenzie of Seaforth.)

[To face p. 282.]

According to Wightman's report, they were far more concerned with the baggage.

"In this action, Seaforth and the few that stood by him acquitted themselves like heroes." So says one of the contemporary accounts, and it is the only bright spot in a lamentable fiasco. The absence of a really strong figure to compose the quarrels of the Jacobite officers was severely felt. They were too young for an enterprise of the kind, and sadly required the sagacious guidance of an experienced leader. Who would have thought that, from such apparently unpromising material, would have been evolved so celebrated a commander as Field-Marshal James Keith, so fine a soldier as Lord George Murray, or so doughty a fighter as his elder brother, Tullibardine?

If Lovat—Governor of Inverness—actually invited Seaforth to come with his men and take possession of the town, there would appear to be good ground for Tullibardine's refusal to act upon the suggestion; for, assuming that he knew of the letter, he would be one of the last persons in the world to trust the man who wrote it. According to the evidence of Robert Chevis of Muirtown, at Lovat's trial in 1747, Simon was imprudent enough to tell him that he had shown the letter (which was still more imprudent) to Chisholm of Knockford, who made an affidavit relating to its contents which he sent to the Government. Simon also told Chevis that he had hurried up to London in order to ward off the impending trouble, and that while there, he was approached by Seaforth's mother with a request to intercede for her son with the Government. This Lovat declined to do, unless Seaforth would return the incriminating letter; which was accordingly handed to him. A friend, to whom subsequently he showed the letter, declared that there was enough in it to condemn thirty Lords; and forthwith threw it into the fire,¹ which one would have supposed that

¹ Lord Lovat's Trial, pp. 35, 36.

Lovat himself would have done as soon as he got it into his possession.

This story of Lovat's, as reported by Chevis, appears to be confirmed in essentials by a letter (undated) among the Seaforth MSS., in which Simon promises his "dear cousin," Seaforth, to give him certain useful information if the Earl will give up a paper "that might be by accident troublesome to me."¹ Had Seaforth been a blackmailer instead of a gentleman, he might easily have turned the letter to his own considerable advantage, if, as appears to have been the case, there was really enough in it "to condemn thirty Lords." With the fatal document reduced to ashes, Simon had no difficulty in persuading the Court of the continued strength of his loyalty.

Writing to Gualterio, on February 28, 1721, he made a last effort to renew his correspondence with the Cardinal, who, he complained, had not replied to any of his letters since his arrival in England. He had learned several weeks ago with "*extreme douleur*" that his Eminence had been put against him, but his respect for the Cardinal would remain undiminished by the malice "*des hommes et des demons.*" His conscience and honour did not reproach him with anything he had done. He could explain everything to the Cardinal if he saw him, and if he were not married, he would make a special journey to Rome in order to justify himself. He had no other ambition than to live and die an honest man. He pleaded for a little charity, and would ever retain his zeal for one who had shown him so much kindness.²

He must have been in correspondence with the Chevalier about this time. For on September 28, 1721, a pardon under the Great Seal was granted by James to Lovat and James Campbell of Auchinbreck, "upon their returning to their duty." On March 1, 1722, a commission

¹ Addl. MSS. 28239, f. 63.

² *Id.*, 20310, ff. 285-287.

appointing Simon a major-general was issued by the Chevalier, who, in the following year, gave a similar commission to Lovat's false friend, Campbell of Glendaruel. Campbell had taken part in the "Fifteen" and the "Nineteen," and was in August, 1723, appointed Jacobite agent in Scotland. In July, 1723, Lovat was appointed by James, Lord-Lieutenant of Inverness, Nairn, and Sutherland, and on the same date, he was ordered to seize Inverness and be the Governor thereof.¹ But Simon was quite content to remain Governor of Inverness for King George, until the time should arrive when he could hold it for King James without the risk of having backed the wrong side.

On December 7, 1721, little more than two months after the Chevalier declared that he had returned to his "duty," Lovat was complaining bitterly to John Forbes of Culloden, of the favour shown by the Government to "the Tory Jacobits of Inverness," and asking sarcastically what pension the Duke of Roxburgh had received from "the Pretender" for serving his friends so faithfully. He was sure that the Duke got more for his services than he did for his in 1703.²

¹ Ruvigny's *Jacobite Peerage*, pp. 233, 237, 244, 245, 248.

² *Culloden Papers*, p. 74.

CHAPTER XXVII

WHILE Lovat was successfully riding his two political horses without falling between them, the state of the Highlands continued to be unsatisfactory from the Government standpoint. Politically, there was a superficial calm, but it did not impose upon those who were capable of seeing below the surface. The spirit of active resistance among the Jacobite clans was for the moment quelled, but passive resistance was a weapon that they could still use with effect. Seaforth, the principal Jacobite in the North, was of course forfeited, but his clansmen stubbornly refused to pay their rents to the Commissioners of Forfeited Estates. On two occasions, their resistance took an active form when soldiers were sent to enforce payment. Donald Murchison, their chief's intrepid factor, successfully evaded both attempts. He collected the rents and remitted them to his master in France, the tenants being provided with receipts that protected them against a double payment. These proceedings were symptomatic of the general attitude of the Highland Jacobites, towards the forfeited chiefs on the one hand and the Government on the other; and more thorough measures for eradicating the spirit of disaffection, and for checking the prevailing lawlessness, became imperative.

General Wade, a bluff, honest soldier, was sent to the Highlands, in 1724, to report upon the conditions then existing, and to suggest needful remedies. He had the assistance of Lovat, who drew up a memorial (memorials

were his specialty) addressed to King George, in which the predominant note was the usefulness of the Independent Companies, especially in suppressing blackmail, and the impolicy of disbanding them in 1717, after which, "robberies went on without restraint." He showed how the attempts to disarm the Jacobites had been evaded, and how the loyalists had suffered by being deprived of their arms and rendered defenceless, while the rebels retained their best weapons, which they had successfully concealed. A further grievance was the favour shown to rebels who had borne arms against the Government, but who had nevertheless received important appointments, and were invested with authority over the well-affected subjects of the King. The system of appointing Sheriffs, Lord-Lieutenants, and Justices of the Peace required revision, and suggestions for improving the administrative efficiency and the political usefulness of those officers were submitted.¹

The memorial showed the genuine insight that might be expected from its author, and beyond doubt was a document of considerable value for the guidance of a perplexed Government. Personal allusions were deftly woven into its texture without being too obtrusive, but Simon's allusions to "the late happy Revolution," and "our deliverer King William" would have appealed to the risible faculties of King George, had he been gifted with even a rudimentary sense of humour. It may be assumed, without straining probabilities, that Lovat's main object was to have the Highlands provided (at the expense of the Government) with a well-armed and well-drilled body of native troops, whose services would be an asset of considerable value to their captains. Probably he foresaw the time when these trained soldiers, with their excellent equipment, might be led, under favourable circumstances, against the very Government that provided the means for

¹ Appendix to Burt's Letters (1818), pp. 254-267.

their efficiency. He assumed, as a matter of course, that he would receive one of the commands, and when this anticipation was fulfilled, he applied himself vigorously to the task of passing through his company as many of his clansmen as possible, in order to make the Frasers the most disciplined force in the North. Convinced by Lovat's arguments, the Government ordered Wade to re-organize the Independent Companies. Accordingly, six of these companies were re-formed, their captains being independent of one another; whence the significance of the name. The men were dressed in a dark tartan, and their chief duties consisted in the suppression of blackmail and the protection of the law-abiding. The companies were called by the Highlanders the "Black Watch" to distinguish them from the red-coated regulars; and they formed the nucleus of the regiment so named, which has since earned undying distinction on many a hard-fought battle-field.

Wade's chief title to fame rests upon his achievements as a road-maker in the Highlands. Designed primarily to connect the military posts in the North, Wade's roads did more to open up the country, and to break down the barriers that isolated the North from the South, than any measure, warlike or pacific, that had preceded it. Also, he disarmed the Highlands more effectively than Cadogan. While performing these duties quietly and unobtrusively, he studied with advantage the idiosyncrasies of the chiefs among whom his lot was temporarily cast, and the policy that seemed best fitted to secure a proper balance of power in the Highlands. Among his later recommendations to the Government were the pardon of Seaforth, in 1726, and (according to Simon) the breaking of Lovat's company.¹

Simon's troubles with certain of his leading clansmen show that his authority over them had its well-defined limits. He had no difficulties with his submissive commons, whom he treated with despotism tempered by

¹ Miscellany of the Spalding Club, vol. ii. p. 7.

benevolence, but it was almost inevitable that, in course of time, he should quarrel with the high-spirited gentlemen of his clan, whose temper was as fiery and whose blood was as good as his own. He had a serious disagreement with Alexander Fraser of Phopachy, who acted as his factor for three or four years, and was then dismissed from his office by Simon "when his wylde humour came on." Phopachy had made certain payments to him from time to time, and claimed a further sum as due for services rendered. Against his demands, Lovat lodged a counter-claim for monies received by Phopachy but not accounted for by him. The dispute was twice submitted to arbitration and twice decided against Simon. Still he refused to pay, and application was made by Phopachy to the Court of Session to enforce the award. And in 1736 Phopachy's children were still trying to enforce it!

In February, 1725, some months after the second award was given, a night attack was made on Phopachy's house by a gang of desperadoes, who openly avowed that they sought the owner's life. Fortunately for himself, Phopachy was away, but some of his servants were wounded. Two of the housebreakers were apprehended and hanged. Lovat, who was then in London, sought to save their lives; but Phopachy, justly incensed, refused to listen to any suggestion for compounding the outrage. Major Fraser asserts that the attack was instigated by Simon,¹ but at the trial of the men, though Lovat was clearly suspected, no evidence was given to substantiate this charge. Simon's own version is that "the hellish knave," Phopachy himself, concocted the outrage in order to ruin him (Lovat).² Another outrage, also laid to Simon's charge, was the outcome of the Phopachy claim. Lovat's arbitrator was John Cuthbert of Castlehill (was he not a clansman of Simon's former patron, the Marquis de Torcy?), and soon

¹ Major Fraser's MS., vol. ii. pp. 93-95.

² *Id.*, vol. ii. (Pitfirrane MSS.) p. 190.

after the award was given, Castlehill's park was invaded by a band of ruffians who "cut to pieces forty-eight milk cows." Major Fraser states that in this affair also, Lovat's was the directing brain, his agent being one John Fraser, or "English Jack" (he lived in London apparently), otherwise known as "little Stratherrick John." The reason for Simon's enmity, according to the Major, was that he suspected Castlehill, his own arbitrator, of having acted in collusion with Phopachy to secure an award against his principal, in consideration of his receiving a share of the spoil.¹ It must be remembered that, in making these charges, the Major was engaged in building up a case against Simon for black ingratitude, and his bias is obvious. He ingenuously suppresses the fact that the decision in the second arbitration was left to an umpire (Munro of Foulis).² If an umpire was appointed, it shows clearly that the arbitrators had disagreed. And if they disagreed, Castlehill must necessarily have supported the justice of Simon's contentions. Why, then, should Simon seek to injure him?³

The Major's prejudice is clearly shown when he comes to state his own grievances as a crowning piece of ingratitude on the part of his chief. He describes the commencement of his disagreement with Lovat over a few bolls of oats. Then came a quarrel about a farm on the Lovat estates, ending in the eviction of the Major, who

¹ Major Fraser's MS., vol. ii. pp. 96-98. Lovat charged his Edinburgh lawyer, one Tom Brodie, with having betrayed him in collusion with "the base and villainous arbiters" who had signed a decree (for £1000) against him. This appears to refer to the first arbitration. (Trans. Gael. Soc. of Inverness, vol. xii. p. 381.)

² Collection of Papers in Lovat Cases.

³ There are some interesting letters in the Pitfirrane MSS. (Major Fraser's MS. vol. ii. pp. 185-191) concerning these transactions, which tend to rebut the Major's insinuations against Lovat, though the evidence they afford is by no means conclusive. Burt (Letters (1818), pp. 154-156) supports the Major's charges—he does not mention Simon by name, but the allusion to him is unmistakable—and in other parts of his letters is severe on "the chief who sticks at nothing to gratify his avarice and revenge."

was ultimately forced to take a public-house in Inverness for the support of "his numerous family, children and grandchildren"—an occupation which he avows was "entirely against his graine." If the Major's version of the story is correct, he was certainly badly treated by the man who owed him so much. Simon alludes to him in one of his later letters as being "commonly called Major Cracks for his lies," and stigmatizes him as "that ungrateful and unnatural monster that I relieved from beggary." And the Major sums up Simon as "a great, wicked man." In the absence of an impartial account of the transactions that took place between them, it is impossible to pronounce judgment on the merits of the dispute.¹ But the Major lived to see his old chief stripped of his estates and executed as a rebel, while he himself was installed by the Duke of Cumberland as manager for the Government of the Lovat property.² Time brought its revenges in the case of each of them, but it is pleasing to observe that, after Lovat's death, the Major acknowledges that, in relation to his late chief, "my passion when I was ill-used might occasion me to speak rashly only from the Teeth outward."³ Probably there were faults on both sides.

Simon's legal knowledge was vastly augmented by the proceedings in the great Lovat Peerage case, in connection with which he showed remarkable pertinacity and business ability. On the death of Fraserdale's wife, the question arose, who was the rightful Lord Lovat, and the rightful owner of the estates—Simon Fraser or Hugh Mackenzie, Fraserdale's son. In 1702, the Court of Session had given a decision adverse to Simon, when there was no one to defend his case.⁴ The circumstances

¹ The Major's case is stated in detail in pp. 99-121 of his MS., vol. ii.

² Culloden Papers, p. 288.

³ Major Fraser's MS., vol. ii. p. 148.

⁴ In 1721, 1722, and 1727, at the election of the Scottish representative peers, Lovat's vote was objected to on the ground that the decision of 1702 was unreversed. (Douglas's Scots Peerage (Paul).)

were now very different. When the question was threshed out afresh in the Supreme Court, Simon had the benefit of the best legal assistance. What was quite as valuable, his lawyers had the benefit of his own untiring industry in preparing a strong case as to law, and his diplomatic skill in influencing the judges as to equity. For years the fight was waged, and in the end Simon won. On July 2, 1730, he writes Culloden exultantly that he had gained his cause that afternoon. "I cannot tell," he adds, "how much I owe to Duncan."¹ And, indeed, Duncan Forbes, then the Lord Advocate, was a tower of strength to him. But Fraserdale could still go to the House of Lords, and a compromise was therefore desirable in order to avoid further litigation. Duncan Forbes did his best to effect a final settlement, but was unsuccessful. His want of success seems to have aroused Lovat's suspicions, particularly in view of the fact that the Lord Advocate was exerting himself on behalf of the Earl of Seaforth, for a grant of the arrears of feu-duty due to the Crown on the Seaforth estates, as a means of livelihood for the repentant Jacobite. For Duncan Forbes to help "y^t very notorious Rebel Seafort," while Simon's own claim for a similar grant remained unsatisfied, argued in his view a leaning on the part of the Lord Advocate towards all Mackenzies, including Fraserdale and his son. And so we find Simon writing, in May, 1731, that he knows of no friends "Cardinal de Fleury (*i.e.* Duncan Forbes) and his brother have in this country, but their new allys, y^e McKenzies, and some drunken (word illegible) campaigners." To the same correspondent (Andrew Fletcher, Lord Milton) he gives with evident gusto some gossip about dissensions in the Clans Kenneth and Leod. He tells him that Seaforth had visited the Earl of Cromartie (the second Earl) and had been "uncivilly us'd" by his host. Cromartie died shortly afterwards (1731), and in

¹ Culloden Papers, p. 113.

order to mark his resentment for the incivility shown to him, Seaforth attended the funeral in a "red jocky coat and brown vest," whereupon Cromartie's son and successor "in Revenge calls himself and all his children McLeods, and hes taken y^e arms of McLeod of Lews." The first Earl of Cromartie had taken these arms in order to be independent of Seaforth, "but he was bullied out of y^e fancy by this Seaforth's Grandfather, who was a bold, rude Highland chief." Lovat then goes on to relate how the new Earl of Cromartie and Macleod had nearly come to blows, the former having called in public "y^e Laird of McLeod, a cadet of his family."¹ Simon shows his animus against Seaforth by saying, "they (the Mackenzies) call him the greatest and proudest miser on earth. But he governs like an absolut monarch, and mocks them much, and so he soon will all those who have done him service." In the light of the great national interests in which he himself has been engaged, he professed to hold these petty squabbles and local politics in contempt. "We did laugh heartily," he writes, "at y^e great politics of this country." . . . "I think I should have Bells hung at my ears," he says elsewhere, if he meddled with local politics. As well might a leopard attempt to change its spots, as Simon Fraser to try to keep out of politics when a game of intrigue was being played.

During the progress of his law-suit, and while a final settlement was pending, he turned his penetrative political genius to practical account in his own interests. He was a firm believer in influential backing, and though he was too sagacious to believe that the lords of the Court of Session had their price, he was convinced that they were not impervious to pressure, judiciously applied. The Earl of Ilay

¹ Addl. MSS. 24156 (Milton Collection). The founder of the Cromartie family was Sir Roderick Mackenzie, the stern Tutor of Kintail, who married the heiress of the Macleods of Lewis. The relative seniority of the latter family and the Macleods of Harris (later of Dunvegan) is of antiquarian interest only, the Lewis family being extinct in the main line.

was now his patron-in-chief, and Ilay's friends were his friends. Charles Erskine, the Solicitor-General (afterwards Lord Tinwald) was on his side; and he frankly admits to him that he had paid assiduous court to Erskine's cousin, Lord Dunn, in order to influence his views. Lord Dunn's reply was that of a cautious Scots lawyer.¹ Another of Simon's legal friends was Andrew Fletcher (the patriot's nephew), Lord Milton. Simon's letters to Milton—he never forgot to inquire about the health of “my good Lady Miltown, and all your charming Lovly children”—are master-pieces of judicious flattery in juxtaposition with requests for personal favours. In 1731, the then Lord Justice-Clerk, Adam Cockburn, Lord Ormiston, was ill—and he was no friend of Lovat's. “I am inform'd,” writes Simon to Milton, “by several y^t the Justice-Clerk is going very fast, and for all his inveterate enmity against me, I am so good a Christian y^t I wish him very soon in Heaven;”² a parallel in grim humour to that of the Presbyterian minister, who prayed earnestly that Prince Charlie might soon receive a “Crown of Glory.” Simon hoped that Lord Milton would soon wear the gown of “y^t Ignorant misanthrope”; and his wish was fulfilled, four years later, when Cockburn died and Fletcher succeeded him.

But Simon's great friend among the law-lords was the Earl of Mar's brother, James Erskine, who bore the judicial title of Lord Grange. He studiously cultivated the Erskines—“a faithful servant to all the Erskines in the world,” he called himself to the Solicitor-General—and he had his reward. Grange and Lovat had certain

¹ Hist. MSS., Com. App. Rep. iv. p. 525.

² Addl. MSS. 24156 (Milton Collection). Dr. Alexander Carlyle describes Lord Milton as “a man of great ability in business, a man of good sense and of excellent talent for managing men” (Autobiography, p. 260). He was Ilay's right-hand man in Scotland, which fact would easily account for Lovat's friendship with him. The latter showed that he was clever enough to manage this “manager of men.”

characteristics in common. They were both accomplished men of the world. They were both skilled intriguers and artistic dissemblers. Politics appealed to both as the most fascinating career for a man of ability; and religion, according to both, was a subject to be discussed by philosophers and practised by fools. Lord Grange was the leading layman of the strictest section of the Presbyterians. His spiritual experiences were as edifying as his moral character was peccable. He was called a hypocrite; but there is evidence to suggest that he may have been as much a self-deceiver as a deceiver of others.¹ And this acute lawyer and cultured man of the world was as fervent a believer in witchcraft as the most benighted of mediævalists.

By this time Lovat was a widower, his first wife having died in 1729. Their elder son, who had for his godfather King George, received the advantage of a mother's care during his early years, and became a credit to his name, but the second son, deprived by death of his mother at his birth, grew up neglected and uncontrolled. His father, who was absent in Edinburgh when the boy was born, wrote to Culloden asking him to hold up the baby for baptism, "and make it a better Christian than y^e father."² When he heard of his wife's death, he wrote a letter to her brother full of genuine sorrow. But even in his grief he was egoistic. "The universe," he says, "could not produce a better wife for my circumstances and temper, the most affectionate and careful wife that ever was born, whose chief care and greatest happiness was

¹ Dr. Carlyle was of opinion that Lord Grange was sincere in his religious professions, "for human nature is capable of wonderful freaks" (Autobiography, p. 15). He relates how Grange and his associates passed their time in religious exercises by day and wild debauchery at night (p. 15). He had a poor opinion of Lady Grange, and sneers even at her personal appearance. "Her face," he says, "was like the moon, and patched all over, not for ornament, but use" (p. 14).

² Culloden Papers, p. 105.

to please me in everything."¹ Simon would have scoffed at the idea of a wife having an individuality and interests of her own, apart from those of her husband.

Two years after her death, he was seeking another wife, a daughter of Sir Hew Dalrymple, Lord President of the Court of Session; but though her friends were willing, the lady was not. In 1733, Simon sought consolation elsewhere—this time with success. His second wife was Primrose, daughter of John Campbell of Mamore, whose son became the fourth Duke of Argyll. It has been stated that he trapped this lady into marriage by decoying her into a house of ill-fame in Edinburgh, where she consented to become his bride in order to avoid a scandal.² This appears to be one of several stories fastened by tradition to his memory, but relating in fact to circumstances and people entirely unconnected with him.³ The story is utterly improbable, and the present writer has

¹ Chiefs of Grant, vol. ii. p. 298. The allusions in the text to Lovat's "first" and "second" wives, exclude the nullified marriage with the dowager. It is uncertain when the latter died. We find the Countess of Orkney (the favourite of William of Orange, and Swift's "wisest woman he ever knew") writing on July 22, 1725, as follows: "I am truly concerned for my poor Lady Lovat. She stays in London for no other end but in hopes to get something to carry her to Scotland, and every day she is detained she is less able to live or to go." (Countess of Suffolk's Letters, vol. i. pp. 189-190.) This "Lady Lovat" is probably the dowager.

² Chambers's Traditions of Edinburgh (1825), vol. ii. pp. 5-7.

³ Another story of this nature is one which describes a duel fought in Hyde Park between Lovat and the Duke of Wharton. There was "a woman in it," to wit, a Spanish lady, whose name is not stated. According to this story, the duel was fought first with pistols, then with swords. On stepping back to avoid a thrust by Wharton, Lovat tripped against the stump of a tree and fell, but Wharton spared him, and the two parted good friends. In his "Philip, Duke of Wharton," Mr. J. R. Robinson makes no allusion to this incident, but he describes a quarrel and a thwarted duel between Wharton and a Scotch peer, Lord C— (pp. 235-242), which may have formed the basis of the Lovat story. It is improbable that a poltroon like the president of the Hell-Fire Club would have had the pluck to meet Lovat, and he would hardly have spared him if he had him at his mercy. Copy of a letter from Wharton to Simon's old friend, Cardinal Gualterio, appears on pp. 158 and 159 of Mr. Robinson's book.

discovered nothing to support its credibility. Simon would never have dared to play such a trick on a member of the Argyll family, who approved heartily of the match, though it may be doubted whether the lady herself (aged twenty-three) was ardently attached to her elderly bridegroom.

During the interval between the death of his first wife and his second marriage, Lovat assisted his friend Lord Grange in getting rid of a troublesome spouse. The abduction of Lady Grange in 1732 is one of the numerous incidents in Scottish history that touch the imagination, owing to the element of mystery that clings to them. Why was Lady Grange abducted? As a wife, she must have been "gey ill to live wi'," and even after she left her husband, she probably made herself a nuisance to him. Her continued presence in Edinburgh must have contained a serious element of danger, to justify a cautious lawyer like Grange taking the risk of having her secretly and illegally carried away to the almost inaccessible Outer Hebrides. Anyone who has had occasion to examine the evidence, cannot fail to come to the conclusion that the abduction was the result of a carefully arranged plot, in which the principals were Grange, Lovat, Macleod, and Macdonald of Sleat;¹ that Lovat contrived and directed the first part of the abduction; and that he passed on "the Cargo," as the unfortunate woman was called, to his confederates, one of whom (Macleod) was the proprietor of St. Kilda, where Lady Grange spent the greater part of her captivity. It is quite conceivable

¹ Lady Grange's account of the abduction clearly shows Lovat's complicity in the affair: it was his men who carried her off. That Macleod and Macdonald were privy to the abduction is equally clear. The Rev. R. C. Macleod of Macleod has kindly sent me a photograph of a receipt (the original is in Dunvegan Castle) for Lady Grange's board and funeral expenses, and a copy of a letter from one Rory McSweyn, threatening Macleod with exposure for the part played by him in the detention of "the Cargo." Presumably, Grange ultimately refunded the expenses incurred by the abduction and detention.

that Lovat may have taken all this trouble and risk, and persuaded Macleod and Macdonald to do likewise, entirely out of friendship for Grange, and from that species of gratitude which is defined as "a lively sense of favours to come." The sole object of Grange may have been to save himself from a virago who pestered his life, and was capable, as a daughter of Chiesly of Dalry, of actually taking it. The accepted explanation is, that Grange was involved in treasonable correspondence, the secrets of which were penetrated by his wife. But that is merely a surmise. There is no positive evidence to support it, and Lady Grange herself made no statement to lend colour to its probability. The cause of their quarrel is clear enough. Being unhappy at home, Grange sought consolation elsewhere, and his wife discovered his amours.¹

Lovat, of course, refused to admit that he had taken a hand in the abduction, though he made no secret of his detestation of "that devil who threatened every day to murder" his "worthy friend" and his children.² He was working at this time for the Sheriffship of Inverness, and Grange's help was useful. Particularly useful was his assistance in making a final settlement with Fraserdale. He secured the Sheriffship in 1733, after inducing the Laird of Grant—much against the will of the latter—to relinquish the office in his favour, under a promise that, if desired, he would resign in favour of Grant's son after the next Parliament.³ He was less successful in coming to an agreement with Fraserdale. The dispute went to arbitration, the arbitrators being Lords Grange and Dunn.

¹ There was trouble, apparently, over a London mistress of Grange's, one Fanny Lindsay, who kept a coffee-house in the Haymarket.

² *Proc. Soc. of Antiq.*, vol. ii. pp. 599, 600. It is quite clear that Lady Grange's children made no effort to effect her release. She had to rely almost entirely upon the assistance of Hope of Rankeillor.

³ *Chiefs of Grant*, vol. i. pp. 378, 379. Addl. MSS. 24156 (Milton Collection).

Not until 1739 was the final decision given, and the sum awarded to Fraserdale made Lovat furious. He denounced the decret arbitral as "villainous," and roundly abused the arbitrators: he had been "betrayed and sold" by one whom he had "entirely trusted and used rather like a brother than a doer." The man who had thus "treacherously, villainously, and ungratefully betrayed and sold" him must have been no other than his "worthy friend," Lord Grange.¹ The amount of the award is not stated, but the claim was for £12,000,² so it may be assumed that the amount was not substantially, if at all, reduced. But after all, he had at length secured a clear title to, and the undisputed possession of, the honours and estates which had formed the object of his life's ambition, and to which every other object had been definitely subordinated. And no sooner had he made the Lovat estates secure in his family, than he turned envious eyes towards the properties of his neighbours, Glengarry and The Chisholm. By means of a wadset (a kind of mortgage), which he paid off, he succeeded ultimately in obtaining possession of Abertarff, held by Glengarry—a property which had formerly belonged to the Frasers.

¹ Burton's *Lovat*, pp. 129, 130. The author does not seem to have suspected that the person so roundly abused was Lovat's friend, Grange.

² Addl. MSS. 24156 (Milton Collection). Lovat suggests in a letter to Milton the playing of a pretty game of bluff, with the object of reducing the amount of the claim.

CHAPTER XXVIII

SIMON FRASER'S aim was to make himself "the greatest Lord Lovat that ever was." One of his methods was to restore to his family every foot of land that had ever been owned by the Frasers in the Highlands. And as he showed by a letter to Lochiel, written in 1736, to demand redress for an outrage committed by some Camerons, he was fully resolved to protect, by every means at his disposal, his property and his people, from any persons who had the temerity to meddle with them.¹

He was an enlightened improver of land, and managed his affairs with method and shrewdness. He showed his business faculty in the smallest as in the largest matters of daily life, as exemplified in a series of letters to one Alexander Fraser, a merchant in Inverness, whom he addresses as "Cousin Sandy." We find him giving his orders to Sandy about his "meal and bear" (barley) with the most exacting minuteness. One day he complains of a leaky coffee-pot sent by Sandy, and says that the coffee itself is "not worth a sixpence." He tells him that "it's large white coffee, whereas the good coffee is a small greenish or blueish berry." The next day we find him complaining of the previous week's account, the charges being extravagantly high. "I would change twenty merchants of the name of Fraser," he writes, "rather than allow myself to be imposed upon to my knowledge." He threatens to withdraw his custom, "if my business be

¹ Trans. Gael. Soc. of Inverness, vol. xii. pp. 369, 370.

troublesome to you. . . . I hope in God you or no man else will lose a sixpence at my hands, for I had rather be dead than wrong any man whatever." And a few days afterwards, he sent a present of a salmon to "Cousin Sandy" and his "bedfellow."¹

His relations with the poorest of his people were marked by kindness and consideration. Generally he had a bag of farthings when he walked abroad, the contents of which he distributed among any beggars whom he met.² He would stop a man on the road; inquire how many children he had; offer him sound advice; and promise to redress his grievances if he had any. He would pat a boy on the head, and, perhaps, give him half-a-crown if his name was Simon Fraser. He would chat with an old woman, and ask her about her ailments, and supply her, on parting, with snuff from his mull. He would chaff a young woman about her sweetheart, and offer her Lovatic compliments. He was always ready with a joke here, a word of sympathy there, for did he not pride himself upon being the father of his people? "Were Gaelic wit and humour—of all things the most volatile—translatable," writes Mrs. Grant of Laggan, "the good things said by or to Lovat would furnish a little jest-book."³

There is another side to the picture. Apart from the practice of low debauchery laid to his charge by an anonymous contemporary (and hinted at by Mrs. Grant), there is strong evidence to show that Lovat could be a tyrannical despot, as well as a kind and indulgent chief. James Ferguson, the astronomer, was his guest for some months, and has left an account of the daily life at Castle Downie. He tells us that the Castle was a "sort of tower," and that it would have been considered in England only "an indifferent house for a private, plain, country

¹ State Papers (Scotland) MS. in Public Record Office.

² Fraser-Mackintosh Antiq. Notes (2nd series), p. 7.

³ Scott. Hist. Soc., vol. xxvi, pp. 259, 271.

gentleman." There were "only four apartments on a floor and none large."

The house was certainly insignificant in relation to Simon's mode of living. He maintained a Court, says Ferguson, which a number of his leading retainers attended daily. The only sleeping accommodation for the latter, or his servants, was on the floors of the four lower rooms, on which a quantity of straw was spread. There were sometimes over four hundred persons "kennelled" there—a tight fit, one would suppose. Ferguson had sometimes seen four, or even six men, hung up by the heels for hours on the few trees around the house.¹ But those were the days of heritable jurisdictions, when the great Highland lairds made free use of the "pit and gallows," and when "Jeddart justice" was meted out not infrequently to delinquents. The times and the justice alike were rough.

An ex-sergeant of the Scots Royals, one Donald Macleod, who took service with Lovat and proved a useful recruiter for the Highland Watch, gives a different impression of Simon's residence. But probably Donald's Celtic imagination coloured his facts when he relates how a servant "flung open the great folding doors;" and when he alludes to "the spacious hall crowded with kindred, visitors, neighbouring vassals, and tenants of all ranks." He describes Lovat as "a fine-looking, tall man, and had something very insinuating in his manners and address." According to his account, Simon gave him an effusive welcome. He clasped him in his arms, kissed him, and forthwith introduced him to Lady Lovat, who immediately called for a bottle of brandy, with which the lady was fervently pledged by "the gentlemen." Simon lived "in all the fulness and dignity of the ancient hospitality," and Macleod's description of a dinner at Castle Downie fully bears out the statement.

¹ King's Munimenta Antiqua, Book iii. pp. 175, 176.

There was great abundance of all kinds of meat—and drink. At the head of the table were the principal guests, the lairds of the neighbourhood, who enjoyed Simon's hospitality fairly frequently. Their drink was claret, and (sometimes) champagne. Next to them were the *duinewassels*, or gentlemen of the clan, who, holding their lands by tack or lease, were denominated tacksmen. Their drink was port or whiskey punch. Lower down were the tenants or common husbandmen. Their liquor was strong beer. "And below the utmost extent of the table, at the door, and sometimes without the door of the hall, you might see a multitude of Frasers without shoes or bonnets, regaling themselves with bread and onions, with a little cheese, perhaps, and small beer."

Such was the heterogeneous company assembled at Lovat's table, and it required the managing genius of a Simon Fraser to play the part of a perfect host, from whom the meanest guest is entitled to the same consideration as the greatest. "Cousin," he would say to a tacksmen, "I told my pantry lads to hand you claret, but they tell me ye like port and punch best." "Gentlemen," he would address the commoners, "there is what ye please at your service, but I send you ale because I understand ye like ale best."¹ He pleased them all, and thus displayed the essence of good breeding at the smallest cost. The old Highland lady, Mrs. Grant of Laggan (whose account of his career, given from hearsay, is full of inaccuracies) adds a finishing touch to the picture, by declaring that the servants who waited at table had no food except what they carried off in the plates. The consequence was, that the guests had to keep a watchful eye on their plates, for if they laid down their knives and forks and turned to address their

¹ Narrative of Donald Macleod, pp. 47, 48. Donald was a Chelsea pensioner, said to have been a hundred and three years of age when he gave his reminiscences.

neighbours, hey, presto! the plates were whipped off the table in an instant.¹

Simon was careful enough not to permit any extravagance at Castle Downie when he was away from home. There is an interesting series of letters written by him to "Mr." Donald Fraser (he was a Master of Arts) who was the tutor of the eldest son, Simon, in Edinburgh, and to whom sometimes he quotes Virgil, his favourite classical poet. Lovat promised to use his influence to secure for him the living of Fearn, but later on, being wishful to retain Mr. Donald's services, hinted that the honour of teaching the Master of Lovat was greater than that of possessing a Highland charge. His correspondent thought differently, but there was no rupture in their relations. On his return to the Highlands, the tutor was entrusted with the education of Simon's second son, Alexander—the Brigadier, as his father called him—a youth who is reported to have had a bottle of whiskey at his bedside every night, and who, according to his father, "hardly speaks a word now without swearing, cursing, blaspheming, and lying." When Simon went to Edinburgh, in 1740, Mr. Donald was left in charge of his house, and had precise instructions about his expenses. He was to "spare the hens" rather than "the mutton"; he was to have "two good substantial dishes" when he was alone, and "three dishes when you have strangers;" he was to drink as much of "the fine ale" as he had a mind, "and when there comes an extraordinary stranger, you may give him a bottle of wine." Also, he was to "take care of my eagle and of my Italian dog." The Brigadier proved too much for Mr. Donald, and it must have been with a thankful heart that he turned him over to his father, who threatened to "see his hips made collops of" and to send him to be "a cow-herd" if he did not mend his ways. Mr. Donald did not become "Abbot of Fearn" (thus Lovat). According to Simon, he was

¹ Scott, *Hist. Soc.*, vol. xxvi. p. 260.

persecuted by "those wicked Crockadales who would go to the Gates of hell to Devoure You," to wit, some members of the Tain Presbytery. But he found peace at length in the seclusion of Killearnan, of which parish he became minister.¹

It might be supposed that the proper person to take charge of the bibulous "Brigadier" would have been his step-mother. But Lovat had only been married to Primrose Campbell five years when they agreed (in 1738) upon a separation.² It was an unhappy marriage from the commencement; a more ill-assorted pair had never been joined together in matrimony. Lady Lovat's real character is not easy to gauge. By those who were not intimate with her, she was regarded as "a coarse-mannered, homely woman, and so ill-natured that everybody hated her."³ Simon called her "a mixture of a devil and a daw," and accused her—probably without a shadow of foundation for the charge—of having robbed him in collusion with the minister of Kilmorack, with whom, he asserted, she had an intrigue.⁴ Her own brother wrote Lovat in a manner far from complimentary to her. "A good and honest man," he said, "will not give up his friend for the sake of a sister if she is to blame."⁵ But we have a very different view of her character by those who knew her in Edinburgh, where she retired in 1740 on a small allowance from her husband. According to this view, she was a generous and pious

¹ Trans. Gael. Soc. of Inverness, vol. xiii. pp. 136-178. These letters, which were lent to Mr. William Mackay, Inverness, by the Rev. Hector Fraser, Halkirk, Caithness, are of singular interest as a revelation of character.

² Chiefs of Grant, vol. ii. pp. 366, 367.

³ Chambers, Traditions of Edinburgh (1825), vol. i. p. 205.

⁴ Chiefs of Grant, vol. ii. p. 367, and p. 385. Lovat's wife was admittedly a woman of little or no education (Chambers, vol. ii. p. 5).

⁵ Chiefs of Grant, vol. ii. p. 394. Colonel Campbell looked upon "the generality" of women as "weak and passionate." "The best familys have produced bad ones as well as bad men," the inference being that he regarded his sister as a "bad" one. He was trying at the time to induce Lovat to increase Lady Lovat's allowance from £30 to £100 per annum.

gentlewoman, who had a "sweet and pleasing expression," delighted in good deeds, and was eminently patient owing to her fatalistic creed.¹ There is an apparent want of consistency between the two sets of opinions. But the explanation may be that her husband had broken her spirit—she must have been fairly strong-minded to have stood up to him at all—and that her character had been transformed by her troubles. She died in 1796, at the age of eighty-six. It is pleasant to find that when her husband was in the Tower, just before his trial, she offered to take her place by his side, in spite of all that she had suffered at his hands. But in an affectionately appreciative letter, he refused to allow her to make the sacrifice.²

There are various stories told of his cruelties to her. He is said to have kept her locked in her room, and to have fed her on coarse and scanty fare. Sir Walter Scott relates that he had "heard" that a lady who called at Castle Downie to investigate the truth of the charge of cruelty, discovered that Lady Lovat was in fact "a naked, and half-starved prisoner."³ Doubtless there was an element of truth in the stories of her ill-usage, though some of them were probably exaggerated. By a seeming contradiction, Simon is said to have "sunk into a state of despondency," after his wife left him, and "we have heard that he lay two years in bed!" Not only so, but the circulation of his blood being defective, he found it necessary to have recourse to animal heat—in the form of buxom young women—to keep him warm.⁴ In point of fact, he was particularly active during the rest of his life. Hardly

¹ Chambers, *Traditions of Edinburgh* (1825), vol. ii. pp. 2-4.

² *Id.*, vol. ii. p. 12.

³ *Quarterly Review* for 1816, vol. xiv. p. 326.

⁴ Chambers, *Traditions of Edinburgh*, pp. 9, 11. It is stated elsewhere that Lovat used human "warming-pans" for his defective circulation. A contemporary writer says that "he is generally more loaded with clothes than a Dutchman with his nine or ten pairs of breeches." This writer had a bad opinion of Lovat's character, but being anonymous he cannot be accepted as a safe guide.

had his wife set out for Edinburgh, when he followed her to the capital, to transact some pressing matters of business.

He gives an entertaining account of his journey to Edinburgh. He was accompanied by his two daughters, the elder of whom afterwards married Ewen Macpherson, younger of Cluny, a celebrated figure in the rising of 1745. They were twelve days on the journey, owing to a succession of breakdowns, Simon's "chariot" being evidently in a sad state of disrepair. But he had the use of General Guest's chariot, in which to make a proper display in Edinburgh.¹

The real object of his visit to Edinburgh was chiefly political, though the ostensible purpose was to sign the necessary documents entailing the Lovat estates on his son. For some years past, he had been immersed in politics, local and national. His quarrel with Duncan Forbes induced him, in 1732, to throw the whole weight of his influence in favour of Sir James Grant, the nominee of the Ministry, against the Forbeses, who were resolved to carry Inverness, Ross, and Nairn. Ilay, the representative of the Ministry in Scotland, had declared against Culloden and his brother, and there was thus an additional incentive for Simon to support the Government candidate. Incidentally, he quarrelled with Brodie of Brodie, the Lyon King-of-Arms, who called himself "my Lord Ilay's minister in the North." Brodie accused Lovat of supporting Culloden secretly against Grant, and threatened to expose him. "I told him," said Simon, "that he and all the Brodies on earth, joined to all the divels in hell could not blow me up with the Earle of Ilay." He was

¹ Miscellany of the Spalding Club, vol. ii. pp. 5, 6. Cluny, who married Lovat's daughter, appears to have been a bashful lover, but a masterful husband. Simon's views on the match show that his chief desire was to strengthen his position by a useful alliance with a warlike clan like the Macphersons. But he displays a tender solicitude for his daughter's happiness, notwithstanding. (Trans. Gael. Soc. of Inverness, vol. xii. pp. 374-378. Letters from Lovat to Lochiel.)

thankful that "Providence stifled my passion that I did not send this mad fool to hell as he deserved." After this, we are not surprised at Simon's allusions to Brodie as "y^e impertinent King of Beasts," a double-edged witticism in allusion to Brodie's office as Lyon King-of-Arms, which finds broader expression in his threat that, "if he was as stout as any Lyon that was ever in Arabia," he would demand satisfaction after the election.¹ Previous to their quarrel, his name for Brodie was "the Squire," of whom he writes to Milton that his (Brodie's) wife had gone to London by ship, this frugal means of travelling being due to the desire "to make up the 15,000 pds sterling y^t they have squander'd at London by quadrilles, feasts, balls, plays, and operas, etc. But if she was my wife, I certainly would give y^e skipper (orders) to sail to the West Indies, and leave her queen of St. Lucia, the Duke of Montague's kingdom there, now possess'd by y^e polite and courteous french nation, for the Lady does understand the ffrench very well,"²

Lovat became temporarily reconciled to Duncan Forbes late in 1732—"Duncan and I are now as we were in 1715"—but his close friendship with the Grants was nowise impaired. He hoped their union would be "perpetual," so he was again, apparently, trying to ride two horses. His letters show how actively he threw himself into electoral business in the North. His method of making his influence felt took the form of creating "barons" entitled to vote, of whom he was "resolved to make as many as will make some sort of ballance in my family in case of a disputed election."³ These "barons" were a marketable asset, as Grant apparently discovered, judging by his statement that "the Frasers' friendship has not been for nothing, and it seems the continowance of it must be purchased at

¹ Chiefs of Grant, vol. i. p. 379.

² Addl. MSS. 24156 (Milton Collection).

³ Culloden Papers, p. 131.

noe little trouble.”¹ When Simon fell into disfavour with the Government, he attributed the displeasure of the Ministry to his having foolishly meddled with elections; and certainly it would have been to his advantage had he abstained from interference.

He was very proud of his company as an appendage to his importance. But field work was not at all to his liking. He tells Lord Milton, in 1732, that he had been “constantly harass’d by a fatiguing campagne;” he had got ague and rheumatism by his march to Braemar; but he had pleased his “good general by his conduct at Bredalbin and by showing a handsome company in very good order.” His genuine sentiments are given in a confidential communication to a friend in Edinburgh, in which he confesses that he is plagued out of his “life and soul” by the “slavish orders” of General Wade, and that he wishes from his heart that he had never seen his company. He alludes to the insubordinate behaviour of the Highland sergeants towards their English officers, and shows considerable trepidation at the thought of possible disclosures by Campbell of Craignish, who had served with his company for seven years. He calls Campbell “a very ill man and capable of doing anything,” so he begs his friend to find him out, give him Simon’s “humble service,” learn as much as possible of what he is doing, and what he did “since his arrival in Edinburgh; and if he did or does designe to make any private information out of malice or tryckery.”² This letter was written in 1732, and probably marks the beginning of the suspicions of Lovat’s fidelity towards the Government, which resulted ultimately in the withdrawal of the favour of the Ministry and the breaking of his company—an event that enraged him beyond measure.³

¹ Chiefs of Grant, vol. i. p. 381.

² Addl. MSS. 24156 (Milton Collection).

³ Lovat seems to have been deprived of his company in 1739, in which year, the whole of the Independent Companies, with four additional companies,

Up to that date, he seems to have acted with complete circumspection in his relations with the Jacobites, although he was in correspondence with the Chevalier about the proposed invasion of 1723.¹ There is nothing to show whether or not he was cognizant of the abortive movement in 1725 among the Jacobites in France, with Bishop Atterbury at their head, for a fresh rising in the Highlands. It was proposed that Seaforth should head this insurrection; but Seaforth broke with the Chevalier and returned home in the following year. Again, in 1727, there was a further attempt to stimulate a rising in the North, the agents being one Sinclair, a naval officer in the Spanish service, and a person calling himself "Brown" who had been in Scotland before on similar missions. Brown sent letters to the clans making lavish promises of support. He was betrayed by one "R.R." who was employed by Sir Duncan Campbell (of Lochnell?) as a spy, with Wade's cognizance. Brown's letters "I myself read under favour of manufacturing the covers a little"—so Campbell wrote—and thus Wade was made acquainted with everything that passed. Some of the most important clans were not approached at all by Brown, who seems to have been a brazen-faced adventurer without proper credentials. He asked Glengarry (a most unlikely agent) to take his own "prudent way" in managing to get Lovat over to the "Cause," and to assure Simon

were formed into a regiment, the 42nd, which perpetuated the old name of the "Black Watch." Possibly this course was adopted in consequence of discoveries made about Lovat's schemes for using the militia, ultimately, as a Jacobite force—a supposition which explains the bitterness of his feelings on being checkmated. In 1738, he repeats a statement of Wade, that "the King knows all our tricks and that we must be broke." Wade, he remarks, "roars like a lyon" against the companies (Chiefs of Grant, vol. ii. p. 370). And in April, 1739, he states that a certain complaint of Seaforth against Sir Duncan Campbell must "break" them (*Id.*, vol. ii. p. 381).

¹ In 1720, James wrote Lovat, assuring him that "a sincere repentance shall ever find me full of clemency, and future service will always blot out the memory of past mistakes." And in 1723, when an invasion of Scotland was contemplated, Lovat received another letter from James, urging him to "do his part." (Haile, *The Old Chevalier*, pp. 280 and 297.)

that if he changed sides, the Chevalier would send him his pardon and a patent for his title of Lord Lovat!¹ Clearly Brown knew nothing of the relations then existing between the Chevalier and Lovat. The menace of an invasion planned by such an agent—his main proposal was that a landing should be made in the Clyde—did not disturb the Government seriously. Possibly it may have strengthened Lovat's position temporarily, in view of the curious message sent to him, which suggested that his loyalty to the Government remained unshaken.

But Simon's old companion, Major Fraser, had been letting his tongue wag freely since their quarrel, and by the year 1737 Lovat's Jacobite sympathies were being openly discussed. It was one thing to be a professed Jacobite in Scotland before the Union; it was quite another matter after the Union. The mere hint of a man being an adherent of the "King over the water" was sufficient to jeopardize his security and might well cause his ruin. Therefore Lovat protested vehemently against the imputation, but his protests fell upon deaf ears, though proofs of his guilt were difficult to obtain. He became more than usually irritable, and suspicious even of his best friends. Foyers and Struy, two of his leading clansmen, he called "most despicable idiots." "The false villain," Duncan Forbes, had put Argyll against him, and had instigated "Major Cracks" to tell lies about him, both accusations being purely imaginary grievances. So offended was he with Duncan that at a dinner-party in Inverness, he took "no more notice" of the Lord President "than of a broomstick."² But the tolerant Duncan forgave him, and they became fast friends once more, "the unhappy jars now over."

Lovat was in close communication with the Chevalier and his agents between 1736 and 1740. An escaped

¹ New Spalding Club Papers, vol. i. pp. 151-156.

² Chiefs of Grant, vol. ii. pp. 368, 369.

Jacobite prisoner, named Colonel John Roy Stuart, seems to have acted as an intermediary between him and James in 1736-7.¹ In 1738-9, Simon was giving assurances to the Chevalier that he could be counted upon in the event of a rising. But until the time was ripe, he was ready, through Brigadier Campbell, to hire out his Frasers to King George at the rate of £3 10s. per head²—probably the refuse of his clan whom he wished to get rid of at a profit. And he had no compunction in taking the oaths of allegiance and abjuration, which he did on November 30, 1738.³ In 1739 he joined, if indeed he did not found, a Jacobite Association, for the restoration of the Stuarts, the chief members of which, besides himself, were the Earl of Traquair, Lord John Drummond, William Drummond (or Macgregor) of Balhaldies, Lochiel (the younger), Sir James Campbell of Auchinbreck, and others. Balhaldies was deputed by the Association to go to the Chevalier at Rome, and was sent by him to Cardinal Fleury in Paris, whence he returned to Scotland, *via* London, where he found the Jacobites to be the mere vapourers that Lovat had always held them to be.⁴

While these negotiations were proceeding, Simon paid the visit to Edinburgh in 1740 which has been described. The necessity of this visit will now be plain. Lovat had to meet his Jacobite confederates in secret, and concoct with them a scheme of invasion. He had to pay court to Argyll and Ilay, and remove from their minds all suspicions of his disloyalty. He had to place his finger on the political pulse in Edinburgh, and regulate his actions

¹ Lovat's Trial, p. 73.

² Haile, *The Old Chevalier*, p. 369. These recruits may have been the men whom Lovat was compelled to furnish to the regiment after the Independent Companies had been broken. He tried to palm off elderly men and undersized recruits on the Government! (*Chiefs of Grants*, vol. ii. 399, 400.)

³ *Trans. Gael. Soc. of Inverness*, vol. xiv. p. 276.

⁴ See Memorials of Murray of Broughton for an account of the proceedings of the Association.

accordingly. He had to weigh the different factions in the scales of his judgment, and decide into which scale to throw the weight of his influence. Also, legal matters and the education of his son claimed his attention.

His interviews with Argyll and Ilay were of considerable importance to him. He joked with the Duke about his (Lovat's) reported Jacobitism—and repeated the joke to Ilay when he saw him. But Ilay was not in a joking humour. He accused Simon point-blank of being a Jacobite, and said that his house was a hotbed of sedition. Major Fraser, he owned, had informed upon him; the Jacobites themselves openly said that he was one of them; and the Prime Minister had received intelligence from abroad of his correspondence with the Pretender. "Damned calumnies and lyes," blustered Lovat, in reply; Walpole himself had greater reason to be a Jacobite than he had. But Jacobite or no Jacobite, Ilay promised to do what he could for him. Simon was charmed with Argyll; "one of the finest gentlemen now in the world," he described him.¹

Notwithstanding the assurances of Ilay, Lovat soon discovered that (to quote himself), "I found I was to expect nothing from this Administration." What he specially desired is not stated, but it must have been the restoration of his Sheriffship and his pension, of both of which, apparently, he had been deprived. After careful consideration, he decided to cut himself adrift from the Government interest, and attach himself to the Country party which Argyll had joined. This party contained several personal enemies of his own, but the difficulties resulting from this circumstance were overcome by the adroitness of Lord Grange (now reconciled with his old friend). In January, 1741, Simon was able to inform a correspondent: "You see me embark'd over head and ears with the noble party of the patriots."²

¹ Misc. of the Spalding Club, vol. ii, pp. 6-8.

² *Id.*, vol. ii, pp. 12, 13.

And the outcome of the new attachment was, that Simon put up Macleod, "a sweet-blooded young fellow," as the Country candidate, in opposition to Grant, the nominee of the Government. He worked for his candidate more vigorously than at any previous election, his device of creating "barons"—at some expense to himself, as he is careful to point out—being put in active and successful operation. Fraser of Fairfield having promised to vote for Grant, and refusing to go back on his word, was stigmatized by Lovat as an "unnatural traitor" (and sundry other compliments of a like nature) for declining to support him in carrying the election for Macleod. In Simon's view, the acme of vituperation was reached when he disowned Fairfield as a Fraser; henceforward his name was "Grant."

Frequently Lovat must have regaled his friend, Lord Grange, with a recital of his grievances against the "unnatural villains" by whom he was surrounded on every side. A confidential conversation between these experts in intrigue must have revealed strange secrets. They were boon companions, and "Jupiter" Carlyle has left an account of one of their sprees. Carlyle, then a student, dined with them, on Lovat's invitation, at Lucky Vint's, a celebrated tavern in Prestonpans, the rest of the company being some Frasers, Simon's son, Alexander, and his tutor, John Halket, with whom the young hopeful had just (1741) been placed. Carlyle observed that Grange was particularly anxious to please Lovat, whom he describes as "tall and stately (and might have been handsome in his youth) with a very flat nose. His manners were not disagreeable, though his address consisted chiefly in gross flattery and in the due application of money. He did not make on me the impression of a man of a leading mind. His suppleness and profligacy were apparent."

The young student was shocked by the absence of sedateness in the two elderly men. After dinner, they

grew frisky, and sent for Kate Vint, the landlady's handsome but frail daughter. They insisted upon dancing a reel with her ; but Lovat's gouty legs were too much for the damsel's sense of gravity, and she fled from the room shrieking with laughter. From Lucky Vint's, the roystering old blades went to the "Brigadier's" lodging, where Lovat flattered the landlady, kissed her niece, and gave her "such advices as a man in a state of ebriety could give." Then Grange took him home to supper, and to his private grounds with the secret door, through which, it was whispered, fair consolars were wont to be admitted, though Grange's "minions" asserted that the grounds were used for meditation and prayer. At ten, the two old gentlemen mounted their coach for Edinburgh, "and thus ended a memorable day." ¹

Truly Lovat's vigour was remarkable. Ten years previously, he had declared to Culloden that "the tabernacle is failing," and he described various symptoms as "so many sounds of trumpets y^t call me to another world." He had been seriously ill since then, fever, ague, scurvy, and minor ailments having attacked him at different times. And yet, after all his diseases, he was fit and ready at the age of sixty-five to romp with wenches on the floors of taverns. He was a firm believer in the efficacy of the cold bath, and had a passion for dancing, which he never lost. The time was about to arrive when he required all the vigour of body and mind at his command, to meet the most fateful crisis in his eventful experience. That he proved unequal to the demands made upon him is not altogether surprising, when it is considered that he had set to himself a task of successful deception, in the face of evidence that plainly contradicted his statements.

¹ Dr. Carlyle's Autobiography, pp. 60, 61.

CHAPTER XXIX

FOR an account of Lovat's dealings with his associates in the new scheme for the restoration of the Stuarts, we have to rely mainly upon the testimony of John Murray of Broughton, the secretary of Prince Charles Edward. Murray betrayed Lovat in order to save his own miserable life, and his evidence in relation to Simon is decidedly suspect. He had to make out that Lovat was a great villain, in order to palliate his own offence of being a great traitor. He professes to have been very shy of Simon at first; he was on his guard against "the uncommon caresses he always bestowed when he had an intention to pump."¹ Murray had a poor opinion of Balhaldies. He says that Balhaldies was a burden on Lovat, who, wishing to get rid of him, found him employment as the emissary of the Jacobite associates. Lovat (he says) knew that Balhaldies—one of Simon's "Bull-dogs" as he is called—was the only man who would vindicate him to the world.² Simon was after a dukedom (of Fraser), and Balhaldies had authority from the Chevalier to promise him the title for his support. The patent for the dukedom was signed on March 14, 1740,³ and on December 23, 1743, Lovat was appointed

¹ Memorials of Murray of Broughton, p. 17.

² *Id.*, p. 9.

³ Ruvigny's Jacobite Peerage, p. 56. The full title of the creation was "Duke of Fraser; Marquis of Beaufort; Earl of Strath-therrick (*sic*); and Upper (!) Tarf (Abertarf); Viscount of the Aird and Strath-glass; Lord Lovat and Beaulieu." It looks like a patent drafted in a hurry! The titles

by James, "Lord-Lieutenant north of the Spey and to the head of the Spey to the north side of Loch Lochy."¹

There can be no doubt that for some time before the "Forty-five," Simon was quietly sounding his neighbours as to their intentions, and secretly striving to obtain from them assurances of support for the "Cause." "He never failed," says Broughton, "to declare with the strongest asseverations that his principles were . . . always the same;" and it is probable that his neighbours in the Highlands were thoroughly convinced of the truth of that statement. In public, Simon continued to profess the strongest loyalty to the existing régime: he laughed to scorn the suggestion that he was a Jacobite. He did more: he threatened to fight any one who accused him of such a thing. Rose of Kilravock was the author of a report that Lovat had been deprived of his company, "because I was taking home the Pretender." Simon's reply was sufficiently emphatic. "He is both a fool and a Damed Lyer . . . the silly Coxcome Kilravock." Lovat tells "Cousin Sandy" (May 3, 1745) that he had challenged Rose, who declined to fight. "I would advise him," writes Simon, "to hold his tongue of me, otherwise I will go to the streets of Nairn and Bastonade him with my own hand, which is the only way to treat Lyars and Cowards."²

Lovat was truly pugnacious in his old age. A fortnight after he wrote so contemptuously of Kilravock, he had a serious quarrel with Lord Fortrose, son and successor of the forfeited Earl of Seaforth, who died in 1740. They were present at a meeting of freeholders, held in Inverness,

were sufficiently high-sounding even for Lovat's exalted ideas. Balhaldies left the original patent, for greater safety, with his uncle, old Lochiel, at Boulogne, and brought a copy to Simon. The original appears to have got lost, and in order to pacify Lovat, Prince Charles had to promise to make it good.

¹ Ruvigny's *Jacobite Peerage*, p. 249.

² State Papers (Scotland) MS. in Public Record Office.

and in the course of a heated discussion, Lovat gave the lie direct to Fortrose (who was called Seaforth by courtesy), and struck him with his cane. The affront to Seaforth was aggravated by an attack made upon him in the streets of Inverness by one of Lovat's clansmen. Had not Simon apologized and given complete satisfaction to Lord Fortrose, a serious quarrel between the two clans might have arisen from the affair. But Lovat behaved sensibly over the matter; Seaforth behaved magnanimously; and so the incident was closed without bloodshed.¹

Lovat showed much less sense in his behaviour during the great Jacobite rising, commenced in the Highlands three months later. Sir John Clerk of Penicuik, who tells us that he was "well acquainted with Lord Lovite," says that, "he was all his life a cunning, double man, but this dexterity left him a year or two before the Rebellion." He adds that, in his old age, Simon "began to dream and dote, so that in his conduct he committed many great absurdities."² This opinion seems to be borne out by the actual occurrences. A great deal has been written about the clever way in which Lovat trimmed, until at length he fell over the fence—on the wrong side. There was really nothing clever about his performance. On the contrary, his acts were marked by such vacillation and futility as showed that the strength of his judgment had become seriously impaired. His efforts to deceive Duncan Forbes and Lord Loudoun were an insult to their intelligence, as at length they hinted to him, after bearing with him very patiently.³

The landing of Prince Charles Edward in the Outer Hebrides, with nothing to support his pretensions except

¹ Trans. Gael. Soc. of Inverness, vol. xix. pp. 207-209.

² Sir John Clerk's Memoirs, p. 209.

³ See the correspondence in Culloden Papers, pp. 209-261, for the wordy duel between Lovat and the Lord President and Lord Loudoun, and in Trans. Gael. Soc. of Inverness, vol. xiv. pp. 10-25, for the similar contest between Simon and the latter.



PRINCE CHARLES EDWARD STUART.
("Bonnie Prince Charlie.")

[*To face p. 319.*

complete faith in the attachment of the Highlanders to his family, and illimitable hope in a lucky turn of the wheel of fortune, filled the more cautious friends of the Stuart dynasty with apprehension. Here was a young man who calmly rejected all the accepted ideas that had hitherto governed the Jacobites on both sides of the Channel, when planning an invasion. He was tired of plots that never came to fruition, and of expeditions that consistently failed. The fiasco of 1744 gave the finishing touch to his impatience. The Jacobites were far too slow for this fiery young Stuart, who was a true type of the reckless adventurer, and was ready for any gamble, however heavy the odds were against him. Charles Edward was a complete contrast to his father. He never possessed the solid virtues of the latter, but he had his full share of the showy qualities that ensure popularity. Had the father, instead of the son, landed in the little island of Eriskay, there would have been no 'Forty-five,' for the historian to chronicle.

Lovat was furious when he heard of the arrival of the Prince—a "mad and unaccountable gentleman," he called him. He should not be allowed to land, he declared, and if he persisted in landing, no man should join him. This was a blow to some of the more eager Jacobites, who had counted with confidence upon Simon's help and guidance.¹ Duncan Forbes (now the Laird of Culloden as well as the Lord President) believed in August that he had Lovat safe. One day at dinner, he received such assurances from Simon as led him to suggest that "untill the scene should open a little," it would be well if Lovat would "lay himself out to gain the most certain intelligence he could come at"²—in other words, to act as a spy on his Jacobite friends. Four days later, Lovat declared to Culloden that he intended to follow the prudent example

¹ Memorials of Murray of Broughton, p. 143.]

² Culloden Papers, p. 372.

of Sir Alexander Macdonald, who had decided to adhere to the Government ; "and I verily believe him," added the President.¹ The next day, Simon informed Forbes that he had ordered his people to meet him, to act in defence of the Government—an assurance which induced Culloden to tell Cluny that "if they had any expectations of your friend Lovat, they are vastly mistaken."² A few days afterwards, Lovat appears to have weakened perceptibly. "It is very necessary," said Fraser of Gortuleg (Broughton called Gortuleg "a man of very bad character," whom Lovat trusted too much), "that your Lo^p write very strong things that I shall communicate to your Lo^s people."³

Here was the beginning of the indecision that ultimately led to Lovat's undoing. To be or not to be : he could not for the life of him decide what course to take. "I fear you have been over rash in going ere affairs are ripe," he wrote to Lochiel. ". . . I'll aid when I can, but my prayers are all I can give at present. My service to the Prince, but I wish he had not come so empty-handed. If Duncan Forbes were to find this letter," concluded the writer, "it would be my head to an onion." But Lochiel thought that Lovat was too "deeply dipt" to draw back, and would join when he saw his neighbours take the field. He was wrong. So uncertain was Simon of the safest course to pursue, that he seems to have seriously contemplated going to France "for the benefit of my health." Certainly he wished to be out of the way, until he could see what shape events were going to take. "The Lord Advocate," he told Lochiel, "plays cat and mouse with me." Lovat himself was engaged in watching another cat—one of the jumping kind. In a letter to the Earl of Stair, dated September 21, he refused a commission for

¹ Culloden Papers, p. 376.

² *Id.*, p. 382.

³ *Id.*, p. 388. Lovat declared, when he was in the Tower, that Gortuleg had betrayed his secrets to Culloden.

his second son in the Earl of Loudoun's regiment (which he had desired in 1744) on the extraordinary ground that the boy was undersized—"the next degree to what they call a Dwarf." He himself was now "sixty-eight years old," and after his treatment by Walpole and Wade, who had used him "like a scoundrell," notwithstanding his brilliant services to the Crown, all he desired was "to retire to some place where living is cheap or reasonable,"¹ and (he might have added) where prophets have a clearer vision than Highland seers. In the end, he decided to follow the well-worn track that had been trod by so many men before him : he would stay at home and send out his heir. This was sheer folly in his case, as he would have clearly recognized in former days.

The rising was now an accomplished fact. The fiery young bloods of the Highlands were on the warpath. The older and more prudent chiefs were being drawn into the net. Some of the Highland leaders were induced to join out of a spirit of chivalry for a handsome and trustful Prince, who had thrown himself on their honour. Some were attracted by the alluring prospect of retrieving their broken fortunes. "Most of the proprietors," says Sir John Clerk (who was one of the Barons of the Exchequer), "were Bankrupts before they entered into the Rebellion." They would not, he adds, have joined the Prince if they had had anything to lose.² Doubtless that was true of some of them ; and it was emphatically true of the French and Irish adventurers whose advice the Prince was too ready to follow. But it would be foolish to eliminate from the motives that swayed the Highland chiefs, the loyal sentiment to the Stuart dynasty, that represented for them the most abiding expression of devotion to their native

¹ Trans. Gael. Soc. of Inverness, vol. xiv. pp. 7, 8. The dwarfish son ('the Brigadier') eventually entered the Dutch service. He died, unmarried, in 1760 (or 1762).

² Sir John Clerk's *Memoirs*, p. 220.

country and their native ideals. The sentiment was widespread, and though the commons rose primarily because their lords and masters so willed it, or because they were forced out by their superiors, it would be a mistake to suppose that they were not influenced either by the personal charm of the Prince who had captured the hearts of their chiefs, or by the conception that, in fighting for Charles Edward, they were fighting for Scotland.

Murray of Broughton gives some caustic pen-pictures of some of the more elderly chiefs, fondness of the bottle being their principal failing. He has a good word for the chief of the Camerons, which is sufficient proof that the popular estimate of 'the gentle Lochiel' is fairly correct. "A man of good understanding, tho' of no learning"; (so he is described by Broughton), and in private life, is esteemed by everybody as "a man of strict honour"—a virtue, it may be added, to which the writer showed that he himself was a stranger. Cluny, Lovat's son-in-law, had "both sense and activity," and the rebel chiefs numbered one "man of letters," to wit, Robertson of Struan, 'the poet-chieftain.' But in spite of the promising number of recruits, the Jacobite clans, as Culloden pointed out, were outnumbered by the Whig clans, with those clans that remained neutral. This was a reversal of the conditions existing during the 'Fifteen,' and seemed to argue, as Duncan Forbes wished to imply, that the chances of success were remote. The most active recruiters for Charles were Macdonald of Barisdale, Macdonald of Kinlochmoidart, and John Roy Stuart. An anonymous correspondent, who wrote Lovat during his period of wavering, deemed it inconceivable that he should allow himself to be influenced by such men as these.¹ Lovat's own influence, of course, was rendered almost nugatory by his vacillating conduct. He was instrumental in getting the weak and inept Earl of Cromartie to rise, after an interval of dubiety, and Cromartie's son, Lord

¹ Trans. Gael. Soc. of Inverness, vol. xiv. p. 31.

Macleod, tried, in his dual rôle of a Mackenzie and a Macleod, to recruit from both clans, but with small success. The chief of the Mackenzies was resolute for the Government, and so, ultimately, was the chief of the Macleods.¹ Simon had got Macleod into Parliament, and seemed to think that the latter should follow his counsel in all political matters. Macleod had been coquetting with the Jacobites before the rising, and some of them thought that they were sure of him. But in spite of his alleged promises to Lovat and others, he resolved to follow the prudent example of his neighbour, Sir Alexander Macdonald, who refused to have anything to do with the insurrection. The bitterness of the Jacobite disappointment at the defections or aloofness of some of the clans upon whose assistance they had counted, is easily understood. And Murray of Broughton is on sure ground in asserting that had Lovat come out boldly with his Frasers, his action would have decided other wavering clans.² Sir John Cope's army would have been completely cut off in the Highlands, and a staggering blow would have been given to the Government at the commencement of the campaign. The moral effect upon the Highlanders who were hesitating, of such a victory gained in their own country, would have been considerable, and might well have decided the result of the rising. It is as clear as such calculations by their nature can well be, that had the large clans which, after hesitating, ultimately declared for the Government, gone over to the Prince instead, the Highland army would have reached London,

¹ Both clans had suffered most severely for their adhesion to the Stuarts. The Macleods were cut up disastrously at the battle of Worcester. The Mackenzies, "much the largest of the clans" (says Wade in 1724), in respect of the number of men trained to arms, paid the penalty of their loyalty by having a forfeited and penniless chief and an impoverished tenantry. "The Tennents before the last rebellion," remarks Wade, "were reputed the richest of any in the Highlands, but now are become poor by neglecting their business and applying themselves wholly to the use of arms" (New Spalding Club Papers, vol. i. p. 139 and p. 144).

² *Memorials of Murray of Broughton, pp. 179 and 229.

and the Stuarts would have been restored. For the hesitancy that allowed the favourable moment to pass, and that sealed the fate of the rising, Simon Fraser, more than any other man, was responsible. Lovat's vacillation, and Culloden's vigour and watchfulness, were the deciding factors.

Sir John Cope's army was not destroyed in the Highlands; the *débâcle* took place at Preston, or Gladsmuir, as the Highlanders preferred to call it, "to make it quadrat with a foolish old prophecy of Thomas the Rhymer: "In Gladesmoor shall the Battle be!" (thus Clerk). Cope, "a little, dressy, finical man," as Clerk calls him, was made to cut a ridiculous figure by the ease of the victory obtained over him, but some of the scoffers were afterwards forced to admit that they had underrated the demoralizing effect of the Highlanders' rush.¹ The occupation of Edinburgh and the victory of Prestonpans had a most stimulating effect upon the Jacobites, among them Simon Fraser, who, for the first time began (as he thought) to see daylight. Murray of Broughton says that, soon after Prestonpans, a letter was addressed to Simon, urging him to head his clan in person; it was intended, in that event, to give him the command of the Jacobite army. Broughton was not sure whether this letter was ever delivered to Lovat.² Whether it was or not, it is clear that Lovat's caution now began to desert him, and his friend Culloden commenced to be much concerned for his steadfastness.

About this time, an unsuccessful attempt was made by some Stratherrick Frasers, under Foyers, to capture the Lord President. Broughton states that Lovat had asked the Prince for a warrant to take Culloden *dead or alive*, and had

¹ Sir John Clerk says that many of the officers of the dragoons, who cut such a poor figure at Prestonpans, came to lodge "under us in the same house. We thought," remarks Sir John, "that Hell had broken loose, for I never heard such oaths and imprecations, branding one another with cowardice and neglect of duty" (Memoirs, p. 187).

² Memorials of Murray of Broughton, pp. 467, 468 (Appendix).

received one, authorizing his capture but not his death.¹ On September 23, Foyers received a similar warrant from Broughton, in which an allusion is made to the warrant issued "some time ago" to Lovat, which "for sufficient reason," he could not put into execution.² Duncan Forbes received much sympathy for the attack made upon his liberty—he was by far the most dangerous man in the North to the Jacobites—among his sympathizers being Lovat, who was strongly suspected of having directed "the dirty trick," as Seaforth called it. Culloden himself was quite convinced that Simon had nothing to do with it;³ and the warrant issued to Foyers seems to absolve Lovat from the charge of having planned the attack on his old friend. As for the earlier and unexecuted warrant issued to himself, we have only Broughton's version of the matter; and inasmuch as it refers to a period when Simon was disinclined to act for the Prince, the truth of Murray's story (particularly in view of the prejudice of its author) is not convincing.

Simon was still proclaiming aloud his loyalty to the House of Hanover. The reports by Brodie about his intention to join the Prince had "no more foundation than if he had said that I was going to join Kuli Khan"—so he told Culloden.⁴ It was not until October that his actions failed in the most unmistakable fashion to square with his professions. Of course, he had excuses ready. The rebellious contagion which was passing through the Highlands, as the result of the Prestonpans victory, had reached the

¹ Memorials of Murray of Broughton, p. 173. Lovat's messenger was Gortuleg, who may have misrepresented him. Broughton confirms Lovat in stating that Gortuleg used to tell all he knew about Simon to Culloden.

² Mackenzie, *History of the Frasers*, p. 382.

³ Culloden Papers, pp. 426, 427.

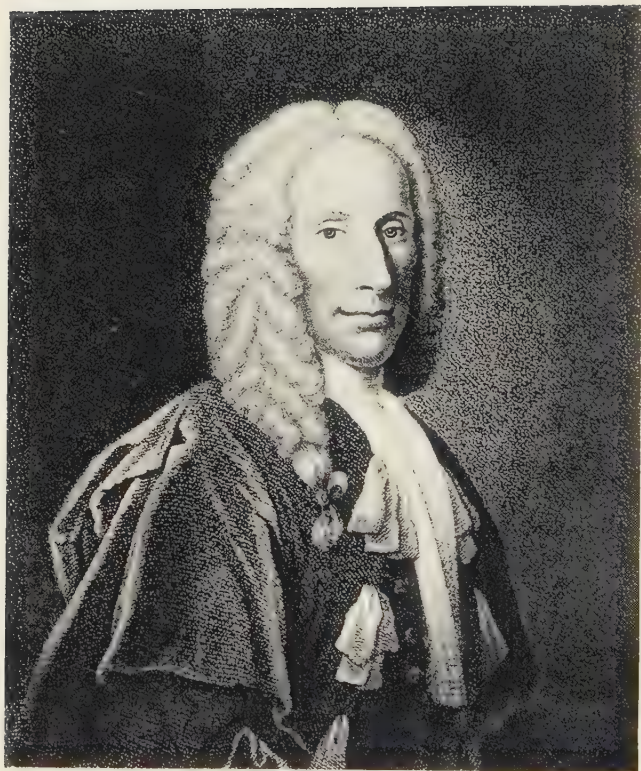
⁴ *Id.*, pp. 409, 410. "Kuli Khan" was a contemporary sovereign of Persia, who subjugated the great Mogul, and is said to have put 200,000 inhabitants of Delhi to the sword (*Scots Mag.*, vol. i. p. 627). Lovat named him on more than one occasion, when desiring to emphasize the absurdity of his encouraging a Jacobite insurrection.

Frasers, and he was unable any longer to control them. Even his eldest son, Simon, the Master of Lovat, had got out of hand, and intended to take the field for the Prince at the head of his clan. What could he, a poor, helpless, old man, do to stem the torrent of rebellion? Was he not to be pitied for having "an undutiful and unnatural son," who "flew in his face like a wild cat," when he ventured to expostulate with him on his madness and disobedience?¹ And so on.

All this was a great deal too thin to deceive Culloden for a moment. He knew as well as if he had seen the communications passing between Simon and the Jacobites, that the Frasers were going out with the sanction of their chief, and that the Master of Lovat would not have moved a step against the wishes of his father. The truth was (as conclusive evidence subsequently showed) that, not only did Simon's heir take up arms with his father's consent, but he did so strongly against his own judgment and desire.²

¹ See Lovat's letters to Duncan Forbes (Culloden Papers).

² See the evidence given at Lovat's trial.



DUNCAN FORBES OF CULLODEN.

[To face p. 327.]

CHAPTER XXX

LONG-HEADED Duncan Forbes was watching Lovat's game with a sad heart, for he had hoped to save the old man. "It grieved me cruelly," he said, "to see my unhappy and much-loved friend on the brink of destruction."¹ The series of letters that passed between him and Simon are remarkable for the patient moderation of the President, and the fatuous duplicity of Lovat. The same characteristics are shown in the correspondence between Lovat and Lord Loudoun. Both Culloden and Loudoun hoped against hope that Simon would see the folly of his conduct, even at the eleventh hour, and that they would thus be relieved from an unpleasant duty. An anonymous correspondent urged him to save himself while there was yet time. "A low pass Lord Lovat is brought to," he wrote. . . . "My dear Lord, exert in time the good sense and fortitude wherewith God has blessed you. If you slip the present opportunity, you will have cause to repent it when it shall be to no purpose."² But it was all in vain. Feeling secure in the belief that he was successfully hoodwinking everybody, Lovat persevered in his policy. The plain language which Culloden at length found it necessary to use might have warned him of his peril. But he went blindly to his ruin. Had he possessed the vigorous, penetrative mind of his former days, he would have seen clearly that the sleight-of-hand

¹ Culloden Papers, p. 451.

² Trans. Gael. Soc. of Inverness, vol. xiv, pp. 30-32.

by which he had so successfully deceived onlookers in the past was no longer effective; for the onlookers knew how the trick was done.

Loudoun at length lost patience with his long-winded correspondent. He had him arrested and taken to Inverness, after difficulties and delays of various kinds had been thrown in his way by Simon. But Loudoun soon discovered that he had laid hold of a very slippery prisoner. By an artful device, Lovat succeeded in delaying his commitment to Inverness Castle, and one night made his escape by a back way from the house in which he was temporarily confined.¹ His escape brought him a letter of congratulation, written jointly, on January 2, 1746, by Lochiel, Cluny, and Broughton, who urged upon him the expediency of appearing openly for the Prince. "In which case," they went on to say, "we are certain that there is not a man beyond the Forth, however timorous or cautious (except some few who have already destined themselves to perdition), but will appear with the greatest alacrity and cheerfulness." The main object of their communication was to offer him, on behalf of the Prince, the command of the army. It was his advice and counsel that the Prince particularly desired, which "will be of greater value than the addition of several thousand men."²

About this time, the Master of Lovat, in a letter which is a model of good sense, was urging his father not to lose on both sides.³ In reply, Simon showed his son how deeply he was committed to the Jacobite cause, and how impossible it was for him to draw back. Loudoun had told him that he had as much against him as would hang all the Frasers of his clan, so it was too late now to make

¹ The Sutherland Book, vol. ii. pp. 93, 94. Culloden Papers, p. 461.

² Lovat's Trial, pp. 149-151. Simon was thus offered the command on two different occasions, unless Murray of Broughton has made a mistake. It is clear that he was not wanted as a soldier but as a counsellor, and especially as an exemplar.

³ *Id.*, pp. 144, 145.

advances to the other side.¹ Why, then, did Lovat not accept the invitation to take command of the Jacobite army—an invitation that was confirmed in the handwriting of Prince Charles himself? It must have been for one of two reasons. Either he believed that he was still capable of deceiving Culloden and Loudoun, or he never received the letter. It was an opportunity for declaring himself that never recurred. By this time the retreat from Derby had taken place, and the Prince stood at the parting of the ways. A strong fillip was required to stimulate the ardour of his men afresh, and to repair the losses suffered in the campaign. Had Lovat accepted the command at this juncture, would events have taken a different course? Of one thing we may be tolerably certain: the battle of Culloden would never have been fought under circumstances that made a Jacobite defeat a practical certainty.

That battle, which, said Cumberland, "retreaved the litle stain of Falkirk" (*sic*), formed the prelude to the opening scene in the last act of Lovat's eventful career. The butchery of the Highlanders after Culloden is a familiar story. "The King said he believed William had been rough with them."² "William" was more than "rough"

¹ Lovat's Trial, pp. 141, 142. This letter to the Master of Lovat was sent by a trusty messenger, "the natural head of the McTavishes," a Stratherrick clan. The Master was attainted in 1746 and pardoned in 1750, the evidence being clear that he had been forced out by his father. He was called to the Scottish Bar in 1752. When the Seven Years' War broke out, he raised the 78th or Fraser Highlanders, and, as Colonel of that regiment, earned much distinction in Canada under Wolfe, who wrote in high praise of the conduct both of the men and the officers ("the most manly corps of officers I have ever seen"). Fraser afterwards served as Brigadier-General in Portugal. In recognition of his services, a special Act was passed in 1774, restoring to him the Lovat estates on payment to the Crown of £20,983 *or. id.* In 1776, he raised two more Highland battalions. He died in 1782, without issue, and was succeeded by his half-brother, Archibald. (Douglas, Scots Peerage (Paul), 1908.)

² Marchmont Papers, vol. i. pp. 196, 197. No greater contrast could be possible than the humane behaviour of Prince Charles and his officers after Prestonpans, and Cumberland's ferocity towards the vanquished after Culloden.

with them: he was positively brutal. His sentiments explain his action. "To my great astonishment," he writes, "I find them (the Highlanders) a more stubborn and villainous set of wretches than I imagined would exist."¹ His friend, the Duke of Richmond, joined in the chorus of vituperation. "Nothing but force," he declared, "will ever keep that stinking corner of the kingdom quiet." . . . "Most joyfull it is to think that so many of those villains are destroy'd, and indeed the Rope must finish those that are escaped with their lives and are fallen."² These were sentiments that came with an ill grace from the son of a Stuart bastard. In vain did Duncan Forbes plead for clemency. "The Lord President," writes Cumberland, "has joined me, and as yet we are vastly fond of one another, but I fear it won't last, as he is as arrant Highland mad as L^d Stair or Crauford. He wishes for lenity, if it can be with safety, which he thinks (probable?), but I don't, for they really think that when once they are dispersed, it is of no worse consequence than a London mob."³ It was Duncan Forbes who really saved the Hanoverian dynasty by his successful diplomacy; but his efforts were conveniently overlooked when rewards came to be meted out. "All the President's services were not worth five shillings," airily remarked a general officer in Cumberland's army. "I thought," quietly replied Culloden, when the remark was repeated to him, "I thought they were worth three Crowns."

Cumberland was particularly desirous of meeting the celebrated Lord Lovat, "the Oracle of his country," as Murray of Broughton styled him. But Simon had to be caught before the Duke's curiosity could be satisfied. In the meantime, his estate of the Aird was ravaged mercilessly, and his residence at Beaufort was given up to the

¹ Addl. MSS. 32707, f. 381.

² *Id.*, f. 281.

³ *Id.*, ff. 128, 129.

flames.¹ After his escape from Inverness, Lovat had resided chiefly at the house of Fraser of Gortuleg. It was there, when flying from Culloden, that Prince Charles met him for the first and the last time.² The Prince seems to have placed an exaggerated value upon Simon's sagacity, and probably desired in his hour of need to have the advice of so experienced and resourceful a politician. Lovat attempted to dissuade him from abandoning the struggle. "Remember," he is reported to have said, "your great ancestor Robert Bruce, who lost eleven battles and won Scotland by the twelfth."³

That Lovat was in favour of further resistance is confirmed by Murray of Broughton, who says that a gathering of chiefs took place at Muir Laggan, on Loch Arkaig, when Simon harangued them on the duty of "dying sword in hand" rather than give in. His hearers agreed with his sentiments and arranged a later meeting, but the proposal came to naught, "their people being unwilling to come out a second time."⁴ All was lost, and *sauve qui peut* became the general sentiment. Simon was carried (he was unable to walk) to an island on Loch Muilzie in Glenstrathfarar, whence he was taken to an island on Loch Morar on the west coast. He evaded arrest for about a month. "I

¹ Hist. MSS. Com. Rep. 10, pts. 1 and 2. Cumberland reported to Newcastle that "Brigadier Mordant is detached with 900 volunteers this morning, into y^e Fraziers Country, to destroy all y^e Rebels he finds there" (p. 443). And the Duke's secretary, Fawkener, writing on April 19, states that "Brigadier Mordant returned this day from Lord Lovat's House, which he left in a blaze. The Brigadier says there was not a man to be seen in all the country, except the very few unsuspected ones" (p. 444).

² Fraser-Mackintosh, *Antiq. Notes* (2nd Series), p. 5. Mackenzie's *History of the Frasers*, p. 431. But Cumberland (Hist. MSS. Com. Rep. 10, pts. 1 and 2, p. 443) writes: "The Pretender's son, it is said, lay at Lord Lovat's house at Aird, the night of y^e affair." In March, the Prince proposed to pay Lovat a visit "to fish in the Beauhy." But Lovat was by no means desirous of seeing him (Lovat's Trial, pp. 146, 147).

³ Scott. Hist. Soc., vol. xxvi. p. 265.

⁴ Memorials of Murray of Broughton, Appendix, p. 446. The Sutherland Book, vol. ii. p. 105. Lovat was appointed "generalissimo" of the Jacobite remnants.

believe," reported Cumberland, "old Lovat won't escape." Nor did he escape. He was taken by a detachment of the garrison of Fort William, commanded by Captain Millar, this detachment having been sent by Cumberland on board the sloops *Furnace* and *Terror* to make descents on the coasts of Knoydart and Arisaig. It was during one of those descents that traces of Simon were discovered, which the search party followed for three days, when they found him hiding in a hollow tree.¹

"I imagine," reported Cumberland to Newcastle, "that the taking of Lord Lovat is a greater Humiliation and vexation to the Highlanders than anything that could have happened, as he is dignified with great Titles, and Ranks high in command; and they had such confidence in his cunning and the strength of the country, that they thought it impossible for any one to be taken who had these Recesses open, as well known to him to retire to, especially as they had a high opinion of his skill to make the best use of these Advantages."² . . . Once Lovat was captured, his fate was sealed. The Government left no stone unturned to secure a conviction. A report by Loudoun to the Earl of Albemarle (Cadogan) shows how thoroughly determined was the effort to pile up a mass of evidence against him.³ It was fully determined that whatever Jacobites might escape punishment, Simon Fraser should not be one of them.

Lovat was carried in a litter to Fort William, where he wrote a letter to Cumberland, reminding him of his friendship with his grandfather; recalling the fact that he had often carried the Duke, when a child, in Kensington Park and Hampton Court; and pointing out the uselessness of

¹ State Papers (Scotland) MS. in Public Record Office. (Cumberland's report to Newcastle.) But the man who actually captured him appears to have been Captain Dugal Campbell, of the Argyllshire militia, and according to one account, he was found, not in a hollow tree, but lying comfortably on two feather beds near Loch Morar (Scots Mag. (1747), p. 614).

² State Papers (Scotland) MS. in Public Record Office.

³ *Id.*



SIMON FRASER IN HIS OLD AGE. (*After Hogarth.*)

[*To face p. 333.*

destroying a hundred infirm old men like himself, who was then past seventy.¹ Cumberland sent a gruff reply by his secretary, Sir Everard Fawkener—Simon's sentimentalities were lost upon him. The journey to London was continued by litter. Simon's sense of grim humour shows itself in some incidents of the journey. Hogarth saw him at the White Hart Inn, St. Albans, and painted his well-known portrait of him. Hill Burton thought that Simon is represented in the picture as enumerating the clans on his fingers. The attitude rather suggests an argumentative pose, *e.g.* Simon driving home his points, when dealing with a knotty problem in politics—or theology.

There is no need to go over in detail the familiar ground of his trial by the Peers, his sentence, and his execution. He stood up to his accusers manfully, and made out an excellent case for himself. He showed considerable skill in weighing and sifting circumstantial evidence. He professed to have difficulty in obtaining access to his lawyers, and complained that obstructions had been placed in the way of his witnesses. But nothing could have altered the verdict. His case had been prejudged, and there was no hope for him. The evidence, indeed, of his connivance at rebellion was overwhelming, although he had not actually borne arms against King George. Two of the chief witnesses against him were Robert Fraser, his own secretary, and John Murray, the secretary of Prince Charles, both of whom were deservedly execrated as traitors, even by those who had no sympathy with the prisoner. "Lord Lovite was tried and condemned by his peers," says Sir John Clerk, "on the evidence of John Murray of Broughton, the Pretender's secretary, and his own secretary. These two . . . as a Lady very pleasantly observed at his Trial, were extream good evidences but very bad secretaries."²

¹ Lovat's Trial, p. 152.

² Sir John Clerk's Memoirs, p. 208. Murray's wife refused to live with him after the trial. By saving his life, he lost it.

Truly, Simon Fraser was a pathetic figure as he fought for his life at the bar of the House of Lords. His behaviour was on the whole dignified and respectful, and though he tried to secure commiseration by pretending to be ten years older than he really was, and by other means, he did not betray the slightest sign of fear or discomposure.¹ So long as the issue lay in doubt, he seized every opportunity of playing his batteries of flattery on the feelings of those whom he wished to influence in his favour. There is, for example, a remarkable letter to Fawkener, Cumberland's secretary, written by Simon in the Tower of London, on October 7, 1746, which illustrates his methods. "Invincible confinement and a strict prison" were the only things that had prevented his paying his affectionate respects to "good Sir Everard," who had shown him "such essential marks of friendship and generosity." As for the "brave young Hero," Cumberland, nothing could equal Simon's love and zeal for him. He would constantly pray for his Royal person, and for his "perfect Happiness in every shape," and particularly on the forthcoming day of general thanksgiving, "tho' in close confinement, w^{ch} I humbly beg you w^d let H.R.H. know."² General Williamson, the Governor of the Tower, wrote this letter to Simon's dictation, in order to "pacify" him. By his "diction," Williamson adds significantly, "you'll judg of his turn of mind and intilects."³ Williamson was a good friend to Lovat during his confinement in the Tower. Unable to get any money of his own, though he made strong efforts to obtain some, Simon turned to the Governor in his need, who advanced him necessary amounts out of his own pocket.⁴

¹ Lovat's Trial. Such expressions as "full of infirmities and pains," "poor Lovat who cannot stand" were used by him to invoke the pity of his judges. Of these, Lord Talbot seems to have been the only one who desired to give him a fair chance. But even he voted, like the others, "Guilty upon my honour."

² State Papers (Scotland) MS. in Public Record Office.

³ *Id.*

⁴ Mr. Murray Rose has found a claim on the Treasury, which implies that

When the dread sentence was pronounced, and Simon Fraser realized that the time for subterfuge and flattery was for ever past, he threw off the mummer's mask in which he had grinned, and gibed, and cajoled, and deceived for years, and appeared at length as his natural self. It must be confessed that his natural self was more attractive than his stage manner. The latter was assumed as part of the machinery which he had set up for effecting his designs. He was quite prepared to go on his knees to a man like Cumberland, so long as there was any chance of saving his life. But had Cumberland visited the Tower after all hope of pardon had been abandoned, he would probably have had to listen to some particularly plain truths about himself. There was no whining for mercy or clemency by Lovat after he had been condemned to death.¹ With grim humour he joked with his judges. "We shall never all meet again in the same place," he told them. He joked with the Major of the Tower on the morning of his execution. "I am preparing myself, sir, for a place where hardly any majors and very few lieutenant-generals go." He philosophized with his warders: "The end of all human grandeur is like this snuff of tobacco," he declared, as he knocked the ashes out of his pipe. And for the first time since he left France, he declared openly that he was a Roman Catholic. "This is my faith," he said; "but I have charity for all mankind."

He went to the scaffold without trepidation, and he met his end without fear. "Do you think I am afraid of

Lovat was kept at Williamson's expense. But Lovat stated ("A Candid Account," p. 11) that "a considerable sum" had been placed in Williamson's hands for his maintenance by William Fraser, his solicitor, who had promised, on certain conditions, to pay for any further subsistence. It was to this Fraser that he wrote, on hearing that he was to be executed in a few days, "I do assure you, dear William, that it does not at all discompose me" (Fraser-Mackintosh's *Letters of Two Centuries*, p. 280).

¹ He refused to petition the King for mercy, saying, "he was so old and infirm that his life was not worth asking" (*Scots Mag.* (1747), p. 153).

an axe?" he asked. "'Tis a debt we all owe and what we must all pay, and don't you think it better to go off in this manner, than to linger with consumption, or gout, dropsy, fever?" His execution aroused extraordinary public interest, and a great crowd had assembled to see the last scene of all. Popular opinion had pictured him as an individual whose horns and hoofs were barely concealed. A crazy "religious man," named Painter, of St. John's College, Oxford, considered that it would be a singularly meritorious act on his part to suffer death in the place of so notorious a sinner as Simon Fraser, and he made the proposal accordingly.¹ "A miracle in the present age," remarked Lovat, admiringly, on hearing the story. Upon reflection, he added that the obligation was altered, seeing that Painter was clearly "weary of being in this wicked world," and thus wished to derive part of the benefit of this sacrifice for himself. And now the gaping mob were to be gratified with a sight of the wicked Scotch lord who was to have his head chopped off. An accident occurred at Tower Hill on the morning of the execution, a scaffold having fallen, killing and maiming a number of people; which was an omen of ill portent, as the superstitious thought.

"God save us, why should there be such a bustle about taking off an old grey head that can't get up three steps without two men to support him?" Such was Simon's comment as he gazed at the sea of faces around him. He calmly paid the executioner's gratuity, felt the edge of the axe, looked at his coffin (on which a lie as to his age was inscribed), and quoted the line from Horace which has usually been attributed to him as a proof of his hypocrisy:

¹ Scots Mag. (1747), p. 152. "Punish the vile traitor with life," said Painter, "but let me die." Painter addressed three letters, respectively to the King, to Chesterfield, and to Pelham, all of the same purport. A news-letter dated March 28, kindly lent to me by Macleod of Macleod, states that Painter was a Cambridge, not an Oxford man. The same letter says that Lovat "was very merry and sung a great many songs, altho' Lord Cornwallis had desired him to prepare for his execution on Thursday next."

Dulce et decorum est pro patriâ mori. How do we know that such was not his genuine belief as applied to himself? ¹

After taking leave of some of his clansmen who attended him, he placed himself in the executioner's hands, and at one blow the scheming head rolled from the poor, disease-racked body. The execution took place on April 9, 1747. Permission was obtained to send the remains to Scotland by an Inverness vessel, named the *Pledger*.² In the family vault at Kirkhill, surrounded by the scenes that were dearest to his mind, followed by the *coronachs* of the old women of his clan, and mourned by his faithful commons as their great protector and friend, all that was left of *MacShimi* was reverently interred. It was precisely the sort of funeral he desired; he could hardly have rested in his grave had his body been laid in English ground.

Historians have censured the Government for cutting short the life of an old man who, whatever his political crimes, had only, at the most, a few more years to live. The reason for their harshness is plain. They were determined never to let him return to the Highlands, there to breed sedition afresh, and they may have feared that there was no prison strong enough to prevent the escape of so slippery a captive. Also, they were resolved upon his death as a deterrent. If, as Cumberland said, his capture was one of the greatest humiliations the Highlanders could suffer, his execution would accentuate the feeling, and strike the hearts of his countrymen with added terror. But if the Government thought that a still greater humiliation would be provided by pusillanimous behaviour on Lovat's part, they made a bad miscalculation. "He behaved," said the skipper of the *Pledger*, "like an old, true *deulnach*; quite undaunted he went

¹ He quoted, also, a line from Ovid, having a bearing upon his own deeds in relation to those of his ancestors.

² Mackenzie, *History of the Frasers*, p. 483.

to the last; made several witty speeches which seemed quite agreeable to the bulk of the people." "It's astonishing," wrote Sir Arthur Forbes to Culloden, "with what resolution and *sang-froid* Lovat dyed to-day." "Lovat said he dyed as a Christian, and as a Highland chief should do, that is, not in his bed," wrote Brodie.¹ And the unknown contemporary writer who has left a lengthy account of his last days, is in strict agreement with these statements of Lovat's behaviour.² He may have lived like a fox; but he died like a lion.

¹ Culloden Papers, pp. 302, 303.

² A Candid and Impartial Account of the Behaviour of Simon, Lord Lovat, April 14, 1747. The author was probably the chaplain of the Sardinian Ambassador, to whom permission had been given to attend Lovat. There is an excellent summary in the Scots Magazine, 1747, pp. 153-158, of this account of his last days. The Gentleman's Magazine for 1746-7 contains a good deal of interesting matter about him.

CHAPTER XXXI

THE character of Simon Fraser may be judged by either of two standards, the absolute or the relative. It must be acknowledged that in nearly all cases where judgment has been passed upon him, the relative standard has been ignored by his critics. The latter include modern writers of weight, who have not had the opportunity of examining the facts of his career with the care required for an impartial estimate of his character, or who have allowed themselves to be overweighted by the traditional view of the man. "History hardly recalls a baser figure than that of Simon Fraser, Lord Lovat. . . . Seldom perhaps did a more horrible old man meet a more deserved doom."¹ These quotations are probably not unfair examples of the strictures passed by historians upon Lovat. Generally, as in the instance cited, they are supported by statements of fact, the accuracy of which is in inverse ratio to the strength of the denunciation. Surely there is some lack of a sense of proportion in all this, which is not altogether creditable. The picture presented to readers is one of unrelieved blackness. One looks in vain for a solitary gleam of light. Simon Fraser, according to the accepted view of him, was not only a villain, but a villain without a single redeeming trait in his character.

¹ McCarthy, *History of the Four Georges*, vol. ii. p. 305. "The desperate shuffler and paltry traitor who tried to blow hot and cold; to fawn on Hanover with one hand (*sic*), and to beckon the Stuarts with the other." So Lovat is described.

It would require hardihood of which no one conversant with the facts of his career could be capable, to argue that the subject of this biography was a good man. He was neither a good man, nor, in the larger sense, a great one. But there are degrees in the badness even of depraved men, just as there are degrees in the rottenness of decaying apples. And the facts of Lovat's life afford ample justification for a confident denial of the absurd assertion that he was wicked through and through, without a sound moral spot in the whole of his being. It is permissible to go beyond a merely negative statement of that kind, and to aver that there were qualities in his character which are regarded as part of the equipment of virtuous men, but which are apt to be overlooked when associated with men who are branded as desperately wicked. Simon Fraser's vices may have obscured his virtues, but the latter existed notwithstanding. His vices have been blazoned on the pages of history, but no place has been found for his virtues. They simply did not exist, say his critics.

That there was a dominant principle underlying his tortuous schemes is plain enough. He did not live a life of deceit, because he preferred deceit to candour. He worked in the darkness because it covered his designs; and the subtle brain in which the designs were bred was stimulated by an active ideal that shaped his whole career. What, then, was the main motive of his life? It is easy to assert that it was nothing more than a selfish regard for his own interests, with a corresponding disregard for the interests of others. But that solution simply leaves the question unanswered. Beyond doubt, he strove throughout life to use men for his own ends. His knowledge of human nature was profound, and he used that knowledge incessantly to achieve his purposes. Early in life, he discovered that susceptibility to flattery is a weakness to which both sexes are prone in an unsuspected degree. Well did Lovat know that men, as well as women,

are not exempt from it. And the fruits of his flattery show in unmistakable fashion that his calculation was not at fault. Over and over again, he gained his ends by insinuating this subtle weapon in the most vulnerable part of virile natures, that were impervious to no other methods of attack.

These were means of attaining his desires, to which, necessarily, no high-minded man would have stooped, nor indeed any man who had a regard for dignity and truth in the abstract. But Lovat's mind was never troubled by abstract problems. If he wanted a thing, he took the shortest cut to obtain it, and there, for him, was an end of the matter. He was concerned only with what he considered to be the righteousness of the end, and he left the morality of the means to take care of itself. "These fine moral reflections," he wrote on one occasion to his Edinburgh agent, "are no more than a play of our intellectuals. . . . I always observed since I came to know anything in the world, that an active man with a small understanding, will finish business and succeed better in his affairs, than an indolent, lazy man of the brightest sense and the most solid judgment."¹ He studied Scottish history with a narrowness of view which he mistook for patriotism, and he read Machiavelli with a warmth of sympathy that distorted his ethical vision. The one gave a dominating impulse (and some practical assistance) to his career, and the other suggested the methods by which it might be expressed. Had he never studied Scottish history, his aim in life might have run in a different channel, and had he never heard of Machiavelli, his crooked diplomacy might have traversed on straight lines.²

¹ Hill Burton's Lovat, pp. 125, 126.

² "It is necessary" (says Machiavelli in *The Prince*) . . . "thoroughly to understand the art of feigning and dissembling, for men are generally so simple and so weak, that he who wishes to deceive, easily finds dupes." It was not for nothing that Simon Fraser sat at the feet of such a teacher.

Above all, his conduct was largely shaped by the spirit of the age in which he lived.

Simon Fraser suffered from an obsession, which affected his intellect like a kink in a powerful chain. Possessing a vigorous mind, he suffered it to concentrate upon a fixed idea, the prevalence of which gradually assumed a form of monomania. The feudal principle lay at the root of his conceptions, and it took complete and permanent possession of him. The glorious deeds of his mediæval ancestors inspired him with a spirit of family vanity that shows itself, sometimes grotesquely, sometimes pathetically, and not infrequently beneficially, in his attitude towards his contemporaries. But whatever the form of the expression, the sentiment was never absent. The grandiloquence of his ideas; the inflated periods in which he gave utterance to them; the sublime self-confidence that marked his actions, all proceeded from the same source. He was *MacShimi*, the Chief of the great Clan Fraser; the lineal descendant and the namesake of the celebrated patriot who was the friend of Wallace; and the modern representative of generations of warriors who had shed their blood for their King and country. "I have always loved to preserve the glory and honour of old and antient families," he said, when contemplating the purchase of a picture of Wallace—which he could not at the time afford to buy.¹ Any family of recent origin was regarded by him with contempt. No family had any title to be regarded with respect unless its roots stretched back to the remote past, "no more" (as he once remarked) "than a mucherom of one night's growth can be called an old oak tree of five hundred years' standing."² To be "the greatest Lord Lovat that ever was," sums up his ambition in a nutshell; a legitimate ambition, it must be admitted, had his standard of greatness been the true one.

¹ Trans. Gael. Soc. of Inverness, vol. xi. p. 341.

² Chiefs of Grant, vol. ii. p. 328.

It was this habit of harking back to ancient times that imbued Lovat with an inveterate hatred of England and of everything English ; and his attachment to France arose, not only because of his French origin, but because of the old alliance between France and Scotland against the common foe. The same sentiment caused him to detest the Union—" *cette negotiation infernale*," as he described it in one of his Angoulême letters—with a thoroughness begot of his study of the wars between the two neighbours. Probably he never forgave the English for executing his patriotic ancestor three hundred and seventy years before he was born ! In a remarkable letter to Lord Grange, he writes with much virulence against the English, asserting that they always did, and always would, hate the Scottish people, and that the roots of their dislike stretched back to the War of Independence.¹ He would not allow his children to be educated in England "unless over my belly." He was infected with *præfervidum ingenium Scotorum* in quite a remarkable degree. Had he lived at the present day, he would have been at the head of every movement for the furtherance of nationalism. He would have been an energetic promoter of Home Rule for Scotland, and a prominent figure in the Celtic revival. He cultivated the Gaelic language assiduously as an expression of the spirit of patriotism. When the question of a tutor for his eldest son was under discussion, he desired to place him with Dr. Patrick Cumming, minister of St. Giles's, Edinburgh, and Professor of Church History in the University. Dr. Cumming was Walpole's guide in Scottish ecclesiastical affairs, and was therefore a useful person to know. He was resolved, he told Cumming, to have his son educated after his own manner, "that is, as a true Scotchman and a Highlander, for I had as rather see him buried as see him bred a thorough Englishman." And when Cumming declined the post, Lovat consulted him about the best man

¹ Mar and Kellie Papers, pp. 545-548.

to select, making a special point of the desirability of the boy's tutor having a knowledge of Gaelic.¹ When, after years of waiting and working with a single aim in view, the object of his earlier life was at length attained, he gave full play to the spirit of feudalism by which he was saturated. He was the belated embodiment of Highland patriarchy. But it was a paternity that exacted the most implicit obedience to his will, however capricious and however tyrannical, in return for the protection which he gave to his clansmen and the provision he made for their comfort. Absolute submission he regarded as the complement of effective protection. His quarrels with some of the gentlemen of his clan were simply the clashing of two opposing forces: the spirit of mediævalism as personified by the chief, and the modern spirit of independence as embodied in his vassals. His attachment to his clan, as Frasers rather than as men, women, and children, was intense, and his voluminous correspondence,² which included so much that was bombastic, and diplomatic, and insincere, struck no truer note than his letter of farewell to his clansmen when he thought he was at the point of death in 1718. That acute observer, Sir John Clerk, who knew his character well, made a true observation when he wrote: "He was a man of a bold, nimbling kind of sense, very vain of his clan, the Fraziers, and ready to sacrifice everything to their interest."³

¹ Hill Burton's *Lovat*, pp. 213, 214.

² *Lovat's* proficiency as a letter-writer was remarkable. No one could write a letter of felicitation or of sympathy more gracefully when he pleased, nor, when occasion required, was his correspondence lacking in the qualities that stand for well-written business letters. His prose was excellent on the rare occasions when it was simple, unaffected, and comparatively free from adjectives. I have come across some specimens of versification from his pen, but they may as well remain in oblivion. One of them is addressed "To Silvia," and is of the familiar "Silvian" type: it was written in his callow days. Later in life, he turned his capabilities as a rhymester to practical account, by composing election poetry, though he pretended that the lines were sent to him by a friend.

³ Sir John Clerk's *Memoirs*, pp. 208, 209. Sir John's view was that of

He discouraged trade and commerce among his dependents as being antagonistic to feudalism. It was their business to be trained in the use of arms (as in the good old days), and fight for their chief when required to do so. If they learned to trade, they would migrate to commercial centres, and his power would be lessened and his importance diminished. Far better for them to be expert swordsmen, and to maintain a full-bodied nationalism by cultivating their old songs and traditions, and by preserving their language, as the expressions of their patriotism. He was ready enough to speculate and trade on his own account, much as he despised the business. He lost money in the South Sea Bubble; he bought Royal Bank stock through Lord Milton (who advanced part of the purchase-money); and he discussed the chances of embarking profitably upon the herring trade. His feudal spirit was up in arms against the proposal to abolish the Highland dress (1732), and his disappointment with Argyll's attitude on that question was intense.¹ The measure of 1747 for abolishing the hereditary jurisdictions of the chiefs struck at the very roots of feudalism. Lovat was then a condemned prisoner in the Tower, but he raged against the Act as if he had a long lease of life before him. He told two Highland lairds who called to take leave of him, that if he had his broadsword, he would not scruple to chop off their heads, if they were concerned in the destruction of that principle which had descended to the chiefs from ancient times.²

In practice, he was a "professional politician"—one of those men, not unknown even at the present day, who adopt politics as a career, not from a desire to serve their

the impartial observer. The most favourable obituary notice on Lovat that I have seen is from his comrade, Balhaldies, who eulogizes him with a heartiness that is creditable to the staunchness of his friendship, if not to the shrewdness of his discernment.

¹ Chiefs of Grant, vol. ii. pp. 305 and 308.

² Scots Mag. (1747), p. 155.

country, but as a means of advancing their own interests. He had no patience with the timid type of politician. "He is too cautious in politicks," he writes to Lord Milton of a certain person. "As caution is a very necessary ingredient in all politicks, so, very often, bold stroaks are to be (commended when?) all cautious measures will go to y^e pott. My dear Lord, forgive this dottage in an old worn-out politician."¹ He lived in times of constant political unrest; when men wore Stuart coats one day and foreign coats the next; when they advocated one set of political opinions in public, and a different set in private; when Ministers trusted by St. Germain sold its secrets to St. James's, and statesmen employed by St. James's coquetted and intrigued with St. Germain; when, in short, political integrity was as rare as scheming adventurers were plentiful. Simon Fraser was a quick learner in the school of shifty politics. He was differentiated from his fellows only by the bold conceptions of which he was the author. If he truckled with both parties, he did no more than men bearing honoured names, whose faults have been glossed over as reflecting the tendency of the times. It would really seem as if, by common consent, the concentrated sins of all the turncoats who were his contemporaries had been heaped upon his shoulders. He stands—not, it is to be hoped, for all time—as the outstanding example of the political tergiversation and its resultant duplicity that characterized the first half of the eighteenth century in British history. Yet there were others; and Simon Fraser was not the worst of them. While keeping his own interests well before him, he was throughout his life, openly or in secret, a Jacobite in sympathy. He deserted the Stuart cause only when he was driven to the other side in spite of himself. He rejoined the Jacobites after extorting an admission that he had been wronged and ill-used. With his notions of the

¹ Addl. MSS. 24156 (Milton Collection).

value of birth and rank, and the duty of submission to authority, it would have been strange had he not been a Tory of the Tories. He had not the least sympathy with democratic aspirations, nor with the limited Liberalism professed by the Whigs. The Stuarts represented for him Scottish nationalism; his ancestors had fought and died for the race; the principles of absolutism and Divine right with which the dynasty was identified were sacred in his eyes; and the feudal ideas by which his mind was obsessed clustered around the family that, for centuries, had shackled the Scottish people to their throne by the bonds alternately of fear and affection. The crooked methods of his diplomacy obscured the underlying stratum of consistent devotion to the Stuarts, but it was always there, notwithstanding. It was never stronger than when he was posing as a devoted friend of the House of Hanover, and a determined antagonist of the rival dynasty. And it was never so ineffective as when he was balancing it carefully with the personal risks that its expression involved. Indifferent though he was to the morality of the means by which he worked to secure his ends, there is no clearer fact in his life than the consistency of his attachment to the Stuarts.

That there was something fundamentally lacking in his moral sense is made apparent by many of his actions. His morality in public affairs was "international" rather than individual; and he was as ready to defend it with as much cynical casuistry as ever Minister employed to "explain" an unrighteous act. And yet, *mirabile dictu*, he was a religious man—of the Grange type. He was keenly interested in theological problems, and was capable of holding his own, equally with a Doctor of the Sorbonne as with a Professor of the Kirk. He did not flinch from discussing Church history even with an archbishop, who was afterwards a cardinal. In a lengthy and remarkable letter to Gualterio, written when he was imprisoned at Angoulême, he discourses

learnedly upon the visible marks of the "true" Church, which distinguish it from the "so-called" Reformed Church. The letter is full of the most pious sentiments, some of which are sufficiently liberal to come with propriety from an evangelical pulpit.¹ Gualterio had been preaching patience to him, and he wished to show that he had profited by the advice, as well as to display his zeal for the Catholic faith. That zeal was carefully concealed in Presbyterian Scotland after his return from France. His religious creed was like his politics: he kept it to himself so long as it was dangerous to reveal it. But he had the grace not to profess an enthusiasm for Presbyterianism which he was far from feeling. The parish ministers seem to have troubled him not a little. "I desire and wish," he once said, "to live in peace w^t all mankind, except some damn'd Presby^t ministers who dayly plague me."² But what would Gualterio have said had he seen his letter to Lord Milton, in which he wrote, "I really think it is much better to be as easy as I am about all Religions, than to turn criminally mad of an Ignorant zeal of enthusiastick devotion, and as I am resolved never to loose life or ffortune to support any priests on earth, I go out of your town towards the North, y^t I may not be suspected to be Religious or devote, since that trade is become dangerous."³

In his last days, just before his execution, there was a revival of his interest in religion and theology, if indeed there had ever been a genuine lapse. He was a Jansenist, not a Jesuit, he declared to a questioner. He discussed psychology with his barber, whose father was a Muggletonian. He wrote a last letter to his son, which is a model of evangelical faith and pious injunction.⁴ He prayed frequently and earnestly. "I hope my prayers

¹ Addl. MSS. 31252, ff. 266-269.

² Culloden Papers, p. 106.

³ Addl. MSS. 24156 (Milton Collection).

⁴ A Candid and Impartial Account, etc., pp. 6-8.

will be as soon heard as Mr. Whitfield's," he once remarked to Grange. "I am sure they are fully as sincere."¹ And perhaps they were. When Simon Fraser laid his head upon the block, his complete composure was due to his belief that he had nothing to fear in the life beyond, the existence of which he never questioned. A hypocrite to the last, it may be said. That, however, is hardly a reasonable view. It is not in accordance with human experience for a man to wear a mask, when testing the sharpness of an axe which is to chop off his head in a few minutes. Lovat's pride in the fortitude of his race, and his determination to do nothing to disgrace his name, may have carried him a certain distance, but not, it is allowable to think, all the way. The real man had shown himself before he reached the scaffold. When he was condemned to death, he might well have exclaimed, "Let fall the curtain : the play is ended."

It was a strange play from the first act to the last. Seldom did the actor leave the stage. Seldom was the man seen as he really was, even to his intimates ; for, habitually he employed language not to express but to conceal his thoughts. He was surrounded by Highland lairds, who had not a tithe of his experience, or a fraction of his astuteness. They were a proud, quarrelsome, drinking and duelling set, quick to resent insults, real or fancied, but hospitable, generous, and sociable. Duncan Forbes and his brother, John, were remarkable for their drinking feats : the chief amusement of Duncan, when on a journey in his younger days, seems to have consisted in making the landlords drunk at the inns where he stayed.² Simon Fraser was more practical ; he made his guests drunk (it has been declared³) in order to worm their secrets out of them. "The Earl of Cromarty,"

¹ Mar and Kellie Papers, p. 553. Lovat claimed to be every whit as religious a man as the celebrated preacher.

² See Appendix to Major Fraser's MS., vol. ii, pp. 159-169.

³ Scott, Hist. Soc., vol. xxvi, p. 261.

he relates, "after drinking excessively in this house of very good wine for five days, went to Dingwall and fell adrieking of very bad wine, which made him so sick that he had almost died there."¹ At these Highland houses, the services of the men who carried off the guests to bed were in frequent requisition ; but Lovat was either more abstemious than most of his neighbours, or liquor had little effect upon him. Having so manifest an advantage over his guests, he had every opportunity of turning them inside out, if he wished to do so. It is probably correct to say, that there was not a chief in the Highlands who knew half as much about the private affairs of his friends as Simon Fraser. Why did these men cultivate his society, and seek his friendship ? All accounts agree that he was a delightful host : affable, witty, and genial ; but behind these qualities, there must have been something of solid worth. If he was a villain, he was a particularly agreeable one, except when he was in his tantrums, when his language became pure hyperbole. The typical man of craft and guile has complete command over his temper. But Simon Fraser was a hot-blooded Celt, whose anger was volcanic in its eruptions. He said many things in his rage that he must have repented in his calm moments. And some of his actions display a lack of the most ordinary prudence. Would the villain of fiction (the diabolically cunning sort) carefully preserve papers that were sufficient to bring him to the block ? Or would he confide in men who afterwards betrayed him, as Lovat did to his sorrow, even after experience had shown him the danger of his candour ?

The truth is, that if Lovat was a villain, his equipment for villainy was defective in material details. Is it conceivable that a man without a redeeming trait in his character, would win and retain the affection of an honest and penetrating mind like that of Duncan Forbes ? Or, that the death of an habitually cruel despot would be mourned

¹ Trans. Gael. Soc. of Inverness, vol. xii. p. 379.

by his clansmen, instead of being hailed as a relief? ¹ Or, that an entirely selfish man would trouble himself to help his friends, as Lovat did on more than one occasion? He rejoiced with his friends, and he mourned with them; he strove to reconcile them when they quarrelled; he pleaded for them when they were pressed for payment of their debts; ² and except when he was crossed, he was the most pleasant companion in the world.

He was a curious mixture of the mediæval and the modern. His attitude towards feudalism has already been defined, but some of his methods belong to the twentieth, rather than the eighteenth century. He was admirably fitted to fill the editorial chair of a yellow journal in which strength, rather than accuracy, of statement is the desideratum. The wealth of his denunciatory vocabulary was a wasted asset during his time; but for party purposes at the present day, it would have possessed considerable value. And no one understood better than he did the uses of advertisement. "I sent an account of our rejoicings," he writes, with reference to the marriage of Sir James Grant's son, "that a paragraph may be put in the prints; *otherways we loose our labour.*" ³ Chambers gives several instances of these "puffs" (all paid for) which, in point of artfulness, are not to be beaten by the most accomplished paragraphists of to-day. ⁴ This combination in Lovat's character of mediævalism and modernism affords

¹ Hill Burton states (Lovat, p. 250) that his people were "grieved and dismayed" by his death; and that one of his clansmen was called "Bairdie," because, in token of his attachment to his chief, he had never allowed his beard to be cut.

² In one such instance, he quaintly pleaded that the debtor (Bailie Stewart of Inverness) was no more able to pay (Macleod of Cadboll) than "eat the Castle of Inverness" (Collection of papers in Lovat Cases). There is a curious case of an abduction of the daughter of another Inverness Bailie (William Fraser), in which Lovat figures as the *deus ex machinâ*. But he was an expert in abductions (Fraser-Mackintosh, *Antiq. Notes* (2nd Series), pp. 93-95).

³ *Chiefs of Grant*, vol. ii. p. 338.

⁴ *Domestic Annals of Scotland*, pp. 552-554.

a further illustration of the fact, that he linked the most practical methods to the most pronounced obscurantism.

Simon Fraser had a weakness for composing glowing epitaphs, in which his own merits always found a place. In this, as in other ways, he betrayed his passion for posthumous fame. He has secured not fame, but infamy. Yet, with his character set in its true perspective, there is room for belief that the judgment of posterity may be modified. He told his friends that he had made a codicil to his will, by which all the pipers from John o' Groats to Edinburgh were invited to play before his corpse; and they were to have a handsome allowance. He was sure that the old women in his country would sing a *coronach* before him. "And then, there will be odd crying and clapping of hands, for I am one of the greatest chiefs in the Highlands."¹ That was the sort of memorial he desired; more honourable, in his view, than interment in Westminster Abbey. He omitted to make formal provision for his epitaph, though he may have hoped that his celebrated quotation from Horace would serve that purpose. A short, simple epitaph, threadbare with use, but true to-day as it was true a century and a half ago, may be justly suggested by the moralist as the most appropriate for inscription. And it is this: "Honesty is the best policy." Simon Fraser discovered its truth, when too late to apply its teaching.

¹ Scots Mag. (1747), p. 155.

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